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ABSTRACT

These discussant papers from an International Committee on Family Research (CFR) seminar explore eight topics, seven of which are presented in Part 3. Topics addressed include (1) the worth of supporting the family and pressures, conflicts, and expectations of family life; (2) major demographic trends affecting family policy; (3) families with children and social policy approaches to family support and education; (4) youth policies and the family/work/education relationship; (5) work, economic policies, and welfare consequences and responsiblities; (6) intergenerational exchange, aging trends, and the public/private support dimensions; and (7) legal regulation of the family and the effect of changes in family law. (RH)

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PART 3

XXth International
CFR Seminar on

SOCIAL CHANGE AND FAMILY POLICIES

Melbourne, Australia,
19-24 August, 1984.

DISCUSSANT PAPERS

Sponsored by the
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ISA International Sociological Association
CFR Committee on Family Research

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MONDAY, 20 AUGUST 1984

Is the family worth supporting? Pressures, conflicts and expectations of family life

DISCUSSION OF
Lewis's and Collins's Papers

by

Thomas E. Lasswell, Ph.D.
University of Southern California

The two papers which I have been invited to discuss are quite different in their intentions. One is concerned with documenting change in certain social psychological characteristics of men in the contemporary United States; the other is a description of the historical relationship between family morphology and the legitimation of power in several societies. I will discuss them separately.

The two papers reviewed all too briefly here are provocative, but in different ways. It is an honor to have been asked to discuss the works of these well known scholars. I wish them both success in their further studies.

Lewis has cited a considerable amount of material, including some he has gathered himself, to argue the thesis that men's roles in the American institutions of marriage and the family are changing, both as perceived subjectively and as observed objectively. That is an honorable activity, and a corollary of the more general definitive concept that all living things change. His descriptive study is a good start on the "How?" questions about contemporary changes in the ways that males conceptualize and act out their assumed or assigned roles as husband and father.

Studies of social change--or any other kind of change, for that matter--must address "how" questions as methodological device for documenting that the phenomena under study are observably different at some point in time from similarly categorized phenomena at an earlier point in time.

Lewis has cited one piece of "hard" data as evidence that men's behaviors have changed--a recent Gallup poll reported that over 80% of new mothers said that their baby's fathers were present in the delivery room during childbirth, while a decade ago only 27% were present. He also has cited one finding from surveys of university freshman that documents a change in the stated opinions of the male sample--that 52%

of male university freshman did not want an equalitarian marriage in 1973, but only 35% so stated in 1983. These two findings are appropriate data for documenting change--the first reported that the fraction of a particular male population behaving in a certain way was reported to have changed over a specified decade; the second reported that the fraction of two samples of university freshmen expressing a specified opinion changed over a specified decade.

Lewis has written a great deal about men and their needs for intimacy, their excellence as infant caregivers, their styles of nurturing, their wish to marry, their differences from other primates, their wider range of socially approved roles than women, their expressiveness or lack of it, their earnings relative to women, their lack of time for male friends, and other interesting descriptive data as well as a variety of authoritative statements about them. All of those topics may be related in some way to social or cultural change, but only the two in the preceding paragraph actually document change. The prior condition of the variables at some prior point is not specified and it is hard to determine what, if anything, has changed from the information presented. True, most of us have the impression that "Times are a-changing," but that impression could be due to a change in our own vantage points--either in our personal life cycles or in the nieghborhood in which we live, or the sources from which we derive our impressions.

Perhaps I am being too rigorous a sociologist in evaluating Robert Lewis's paper. He did not claim that he was presenting a research report with scientifically valid findings. I should not force upon him my own wishes for new sociological knowledge in this fascinating area.

As long as I am wishing for more data on men's changing values, roles, and attitudes toward marriage and the family I will also wish that "why" questions would be posed as well as "how" questions. Of course there is no end to "why" questions. For example, that "how" change has occurred in fathers' behaviors at childbirth can be documented by observing the fraction of fathers present at parturition at two different points in time. Lewis implies that the changed fraction is a result of changed attitudes of a large number of fathers.

Here I will draw from my personal history (as Lewis did on page 10 of his paper) to record that on April 22, 1957, I asked the physician who delivered my third child if I could be present at the delivery (he was the same physician who lectured on obstetrics to the class in marriage and the family that I taught at Grinnell College at the time). He told me that I could not because he could not risk the possibility that I would be upset by what I saw, and that in fact it was against Community Hospital policy to allow fathers to enter the delivery room. From this case, I might infer that the presence of more fathers at parturition in more recent years is not due to a change in the attitude of fathers at all, but to a change in the frequency distributions of obstetricians' attitudes and/or hosiptal rules. But that conclusion leads to more "why" questions. Why did the rules or the attitudes change?

There is a fair chance that the rules and attitudes changed because scholars such as Robert Lewis wrote essays such as the one under discussion here.

Collins lists and dismisses a number of theories which might explain the relationship of family morphology to its historical emergence before he focusses on the concept of "moral politics." It is not appropriate at this point to express concern about that; after all, he has not set out to present a thorough investigation of the alternatives.

Skipping a formal definition of "moral politics," Collins cites several historical instances in which persons in political office have suffered death or defeat because of their presumed or documented violations of widely shared sentiments about sexual or associational norms, abortion, and drunkenness. In his fuller discussion of the relationships between sexual behaviors and laws and mores about them, property ownership, gender inequality, marriage laws, family laws, political ascendancy, and family-related behavior in Rome from the Third Century B.C. through the Third Century A.D., he refers to moral politics as a device "designed to stir up emotional legitimacy for a policy whose real object is to undermine the structure that mobilized its enemies" by means of drawing public attention to symbolic issues. This readers' conceptualization of moral politics took a swift turn toward a definition consonant with Myrdal's notion of national (as opposed to behavioral) norms in The American Dilemma and A. McClung Lee's concept of societal culture (as opposed to group culture) in his works on attitudinal multivalence.

Up to this point, Collins has presented cases which imply a theoretical model explaining the relationship between political ascendancy and a cluster of societal norms (Lee's concept) collectively identified as family norms, although the process by which these were chosen is not clear. "The family itself may be defined as the nexus of sexual and economic relations (p.16)" does not help to make the model more explicitly related to the data cited. In fact, it appears to suggest social psychological theories of family dynamics which Collins has categorically rejected because those theories "operate within a given structural context which they take for granted. (p.1.)."

Oddly missing from Collins' definition of the family are affectional and familial bonds which might be viewed as the very essence of the family relationship; nor do they seem irrelevant to a theory of moral politics. The moral story of Cain and Abel comes immediately to mind, as the stories of Solomon's wisdom in deciding the maternity of a baby and Ruth's refusal to let her mother-in-law leave her behind. These old testament classics are as powerful in describing the ancient Hebrew family as are the modern American judicial "doctrine of tender years" and the decline of Nelson Rockefeller's political career after he married a woman who "abandoned" her children.

Twenty-five pages of Collins' paper (18-43) are devoted primarily to a review of Max Weber's writings about the relationships between family institutions and political institutions. It may be that Weber's fascination with economics, religion, and politics has affected Collins' selection of sexual and economic "property" as the elements of family organization. The underlying assumption to be inferred, that politics (the medium of power over others) is concerned only--or even principally--with property is moot. One can also think of political concern with life, liberty, and the pursuit of happiness, for instance; or Lenski's concept of privilege. Nor are these latter-named values irrelevant to family organization. It can be argued that abortion, which would seen to be a current issue in moral politics, is clearly related to family organization, and has much less to do with sexual or economic property than with life and the pursuit of happiness.

Finally, whether family morphology emerges in response to political and economic change or whether political change follows change in patterns of family organization may be of historical interest for given periods, but there is no need (as W.G. Summer might have said) for the relationship to be either durable or rational. Collins may indeed be making exactly this point; it is hard for me to know. Certainly, his observation at many points in the paper that both family morphology and moral politics vary with social class or social strata, and indeed that class microcultures may be more salient than societal variables in explaining either, seems well worth further consideration for the development of more viable theory.

Major demographic trends affecting family policy

TACKLING THE ANALYSIS OF FAMILY POLICY.

Discussant's Views on Thornton's and McDonald's Papers

Stella R. Quah, Ph.D.
Department of Sociology,
National University of Singapore

The task of a discussant entails the critical appraisal of a given paper. Yet, there are as many approaches to this job as there are discussants. I will approach it with two questions in mind. Firstly, what are the key contributions of these papers to the understanding of family change and family policy? And secondly, how could these contributions be enhanced? I shall deal with each paper separately. My appraisal of these papers will be brief due to the time constraint.

Dr Arland Thornton's "Modernization and Family Change."

Thornton's points on modernization and family change are aptly summarized in the last section of his paper. I will therefore address directly the points I consider most crucial in his analysis following the questions mentioned earlier.

First, his key contributions. One of Thornton's main contributions is bringing together some of the most relevant research findings on family development and change. He provides us with an extensive bibliography and a needed review of the pertinent literature.

His second main contribution is his well-justified preoccupation with the correct methodological approach to the study of family change and the impact of modernization. Interesting research projects very often fail to obtain reliable and valid findings due to unrealistic research designs. Thornton is correct in arguing that in the study of actual social change, the best approach is to compare the same population over time rather than to do "cross-sectional comparisons" of societies with traditional backgrounds which are rather "dissimilar" (p.3). This methodological point is crucial and sounds logical once it is stated. Yet, as Thornton implies, many researchers unwittingly overlook this premise. Others dismiss it as unimportant.

The third main contribution of Thornton's paper is his highlighting of two key middle-range theoretical propositions based on his analysis of the literature. The first proposition is that modernization will not necessarily diminish the existing differences in family behaviour found in different cultures because these cultures have departed from different backgrounds. The second proposition is related to the first i.e., that given the different traditions, change is expected to follow different "trajectories" in different cultures.

As I see it, these propositions have interesting implications for policy formulators and implementators. Legislation that attempts to introduce changes in family behaviour based on the experiences of other nations with dissimilar backgrounds, may increase the probability of unintended consequences faced by all new policies. The premises upon which such legislation is drawn do not usually include a serious analysis of the traditional values and mores of the target population. One reason for this is the legislators' common belief, or hope, that laws and regulations will automatically standardize the behaviour of the community in the expected direction.

Turning now to the second appraisal question, there are a few ways in which the above contributions could be enhanced. In terms of the scope of the literature reviewed, it would be useful to know why Thornton selected Taiwan and Western Europe as the focus of his analysis. Notwithstanding the scholar's prerogative of deciding the setting of his study, readers would be better able to appreciate the strength of Thornton's arguments if he had explained the criteria he applied in his selection.

Related to this point is the issue of definitions. The discussion on modernization and family change would be considerably improved after some key aspects are defined clearly. These aspects are the geographical boundaries of the study; the historical periods involved; and the concepts "modernization", "actual social change", "change process", and "specific social change". Let me comment briefly on why each of these aspects needs to to be defined.

If one agrees, as I do, with the two theoretical propositions identified by Thornton regarding the resilience of cultural traditions that maintain differences among communities in spite of modernization, then one cannot help but question the use of terms such as "Western Europe" or "the West" as a homogeneous entity that can be contrasted with "Taiwan", "Chinese" or "Asia" as another homogeneous entity. This shortcoming is unexpected as, in addition to the said theoretical propositions, Thornton also makes specific references to "long standing differences" among European countries in the first part of his paper. Furthermore, one must keep in mind that overseas Chinese may not necessarily follow the family patterns of behaviour found in Taiwan. The effects of cultural adaptation and assimilation of immigrants on their traditional family behaviour inherited from mainland China cannot be overlooked. (Bugelski, 1961; Bunle, 1949; Coughlin, 1960; Edmonds, 1968; Gosling, 1964; Arnold et.al., 1975; Tham, 1977; Kuo and Hassan, 1979).

In terms of the historical period covered, Thornton refers generally to "the early years of modernization" (e.g., pp. 4 and 27); the "initial period of industrialization" (p. 22); and "the transformations of the nineteenth and twentieth centuries" (p. 3). He also sees the Second World War as an important turning point in the process of modernization (e.g, pp. 4 and 27). The essence of his arguments would carry more weight if he had provided a specific definition of the historical period under analysis. In the study of modernization and social change it is imperative to establish clear historical boundaries. These boundaries may, sometimes, be arbitrary as they might be dictated by the availability of research resources and data. Nevertheless, the explicit delimitation of historical periods increases the reliability of inferences and generalizations made in the analysis and allows other researchers to confirm the author's views and pursue the same line of investigation.

Regarding the definition of key concepts, some researchers assume that the concepts they deal with are so well-known that there is no need for explicit definitions. On some occasions this assumption may be true. However, the approach taken by Thornton in his analysis involves certain propositions where modernization and social change are important variables. Hence, specific definitions are needed. To begin, the very term "modernization" has at least two opposite connotations among the international community of social scientists. Most European and North American scholars would prefer to define modernization as "an interactive process of economic growth and social change" (Mann,1984:244-245). On the other hand, scholars from other schools of thought tend to see this concept as "an ideological apology for imperialist interference with, and exploitation of, developing countries" (Mann, 1984:245). A few social scientists from developing countries give the label "imperialist" to all super powers from East or West.

Thornton implies a distinction between "actual social change" and "change process" when he suggests a methodological procedure to understand "the influences of modernization" (pp. 3-4). It appears that his suggestion is to focus on the same society when one wants to analyze "actual social change"; and to do a comparative study of societies if the purpose is to study the "change process." But the potential usefulness of his suggestion is weakened by the absence of distinct definitions for these two concepts. More importantly, Thornton concludes that while the "general outline of change" has been similar for Taiwan and the West, these two cultural settings vary with respect to "specific aspects of change" due to "significant preexisting differences" (p.30). Here again, the inclusion of definitions and examples of specific aspects of change would have strengthened his argument a great deal.

Dr Peter McDonald's "Implications for Families of Third World Fertility Trends"

The same approach followed for the first paper will be used in this case. That is, the two main questions guiding the discussion are: what are the key contributions of McDonald's paper and how could these contributions be enhanced?

Two main contributions deserve special mention. Firstly, McDonald has touched on three crucial issues of family policy, giving us a glimpse of his realistic and objective assessment. One of these issues is the state's use of a "micro-economic" argument i.e., equating upward social mobility with small families, in its campaign to persuade the population to have fewer children. McDonald sees this strategy as "propaganda" suggesting that he may have even more challenging opinions to express on the subject (p. 1). Another issue hinted by McDonald is the family's reaction to the state's change of gear in population control policies. I agree with his view that the family tends to devise strategies for survival in situations where there is uncertainty over future policy developments with respect to the officially accepted family size (p. 3). And the final key issue mentioned by McDonald refers to the possible reasons why the state might change, sometimes radically, its population control policy. He very succinctly lists three possible reasons: the need to preserve traditional values; or the need to preserve vested interests; or the rejection of the macro-economic argument of development (pp. 13-14).

McDonald's second main contribution is his useful calculation of probabilities of change in the family structure. The obtained probabilities are neatly presented (p. 15) and serve as an interesting reference source.

Regarding the question of enhancement of these contributions, I have in mind four areas of improvement. As in the case of Thornton's paper, McDonald also overlooks the need to define clearly the geo-cultural boundaries of his discussion. And perhaps because of this, there is no consistency in the units of comparison throughout his paper. The entity referred to most often is the People's Republic of China (pp. 3, 5-6,9-11, 13). Other nations brought into the discussion are Singapore (pp. 3, 5); Malaysia (pp. 3, 13), and Indonesia (p. 11). But, very frequently, different units are included in the same argument i.e, South Asia (p. 6, 13); East Asia (p.9), the Middle East (p. 13) and Southeast Asia (p. 9). It is very useful for readers and fellow scholars to find a common denominator in the units being compared. For example, considering that important aspects of McDonald's arguments are related to the nation-state, it would be rather informative to deal only with nation-states when comparison on family structure, values, or policies are made. In addition, using a consistent unit of analysis increases the reliability of one's arguments and facilitates the collection of empirical evidence.

This leads me to the second suggestion for improvement. Some of the arguments are rather provocative and deserve to be substantiated by empirical evidence. One could use data from secondary sources; there is a wealth of literature on fertility trends, family planning and population control policies that could have been explored further. But it would have been even more interesting if McDonald had shared with us his own first hand data. Instead, he has only mentioned rather briefly some of these data from his research in Indonesia (p. 11).

The final point, but perhaps the most important, is the extreme brevity of McDonald's discussion on the three crucial issues mentioned earlier. He barely outlines those three important issues raising high expectations for a full and interesting discussion on the role of the state in modifying family structure and behaviour. Yet, after presenting his thought-provoking hypotheses, McDonald closes the discussion.

Important questions have been implied and, although not answered in McDonald's paper, they nevertheless represent urgent areas of inquiry. One of such questions is whether the "micro-economic planning" argument is actually a fallacy. Studies using nations as units of analysis may well improve our understanding of this controversial issue. In some developing nations the micro-economic argument may be more applicable than in others. One should be aware that strategies for the solution of social and economic problems must be not only effective but also ideologically acceptable to the population in order to be successful (Etzioni, 1976; Quah, 1983).

A second unanswered question is: What type of family strategies for survival can be observed in different nations of the Third World? Is there a pattern in the response of the family to pressures from the state? Bringing in Thornton's suggestion on the resilience of cultural traditions, one may assume that there are differences across nations and within the population of a multi-ethnic nation, with respect to the ways in which families respond and accommodate to governmental pressures for change.

A third and final question that should be explored more carefully is: What motivates governments to reverse or modify their population control policies? For example, what is the role of pressure groups? Are there significant differences between the preservation of traditional or religious values and the preservation of vested (i.e., political or economic) interests? Empirical investigation on these questions and the elaboration of McDonald's suggestions would be a welcome contribution to the study of family sociology in general and family policy in particular.

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TUESDAY, 21 AUGUST 1984

Families with children and social policy approaches to family support and education

Disscussion of
Steiner's, Trost's, and Ochiltree's and Amato's papers . .

By

Marcia Lasswell, M.A.

University of Southern California

"Families With Children and Social Policy Approaches To Family Support and Education"

While there is still much thoughtful discussion, even though little resolution, about the form that family policy should take, there does seem to be general agreement that every society values families and sees them as basic and necessary, no matter what definition they may have of "family." Further, there seems to be general agreement that every society has a policy of some sort toward families. Even if the policy is not to have a policy, in truth, that becomes one. The current director of the American Association for Marriage and Family Therapy, A. Sidney Johnson, has quoted a Washington Post (1976) article which states this latter point well:

> "To ignore the pressures on families, to look away from the immense costs--both in terms of public money and personal suffering--to mistakenly believe that families can make it on their own: that often becomes the national policy."

The range of attention to family policy seems to lie somewhere between one point on a continuum at which serious attention is given by some societies to many family problems and a position that borders on neglect of family issues at the other end. Even though too frequently the latter seems the case, this does not mean that a society's institutions--government, business, industry, education, religion, --are not deeply and continuously involved in carrying out programs that indirectly either help families or become a burden to them. As family sociologists Leo Hawkins and Francis Wagner (1983) have written:

> "They (society's institutions) merely go about working at their primary purpose without seriously considering the impact of what they do on family life. Thus for many public and private policies that provide support for families there are usually an equal number of policies that become burdensome."

An analysis of family policy in fourteen countries by researchers Shiela Kamerman and Alfred Kahn (1979) points out that for nearly four decades what family policy existed was aimed mostly at families defined as deviant or failures. Recently, however, there has been a trend to include all families in policy-making rather than singling out just those defined as troubled or needy. Kamerman and Kahn cite as examples of this trend the increased concern of governments with protecting family members against loss of income and health hazards. It appears that most family policy-makers now admit that "normal" families, too, face a growing number of social and economic difficulties because of the increasingly stressful nature of everyday life. Nowhere is this observed with more clarity than in the pressures on working parents faced with the difficulty of carrying out their tasks in an effective way.

With the realization that an increasing number of families need help, many family-life experts have advocated more national policies relating to income, housing, health, child care, and other special services. At the same time, others have raised voices of protest saying that it is dangerous to assume that broad policies will take into account the needs and characteristics of individual families. Instead of urging more policies,they call for fewer.

In his paper, "Family Policy as Latter-Day Children's Policy," Gilbert Steiner represents a middle ground as he examines the relationship between societal conditions to which families must adjust and the development of family policy. He asks the question: To what extent are social phenomena such as single parenthood, divorce, and mothers in the work force, matters for public policy attention? He argues that reasonable justification can be made for such concerns when there are enough affected families to cause generalized uneasiness about family stability. Equally as demanding a question, Steiner believes, is how family policy is implemented once the decision is made to develop one. He urges that family policy have a "guiding image" to justify itself. The most necessary guiding principle for today's world, he beleives, must be to protect children who are affected by social change. "Indeed," he writes, "the present legitimacy of family policy is to be found in its role as a disguised children's policy."

Steiner's view is that family policy follows and is a way to mitigate the effects of (although not to control) social change. To form family policy in order to forestall or force change has not, he reports, been feasible. To use family policy to nourish "strong" families has been too vague and too ambitious a goal. He writes:

> "Each family remains an essentially private institution, as long as the various needs of family members are met by the working of the idiosyncratic and volatile formula that defines family relationships. When the needs of individual members cannot be satisfied by changes in the formula, the family becomes dysfunctional. When enough families become dysnfunctional, public or quasi-public support systems try to take up the slack." (pg. 10)

To continue his line of thought, it appears that the "guiding image" of protecting children from the effects of social change only happens when there are enough of them having difficulty to justify intervention by "public or quasi-public support systems."

In addressing whether policy might also be used to head off problems instead of just mitigating the consequences, Steiner answers by raising dual objections. The first is familiar to those who wrestle with the issues of family policy. It has to do with overregulation, with privacy, and with concerns that individualism will be lost in programs resulting from such policies. Issues of government intervention in population growth are often cited as examples of such intrusion as is the case in Romania today where the government is providing subsidies and benefits for large families. The reverse is found in the People's Republic of China where penalties and pressures are applied to decrease population. We are reminded that these programs, which shape family form for generations to come, touch all citizens alike leaving no room for individual differences.

The second objection to preventive policy-making raised by Steiner is that there is such a diversity of family forms that what might be problematic in one type of family could be quite tolerable in yet another. A program that aims at a "model family" would therefore, be doomed to failure. This is certainly the case in the United States, about which Steiner writes, because the heterogeneity of the population has made it extremely difficult to legislate uniform family policy. As Steiner says: "One problem is that as a target of public policy, family takes on the characteristics of a kaleidoscope."

Both objections are familiar and much discussed in family policy literature. The sometimes fine line between what constitutes support and what becomes interference resulting from family policy is easily lost. Steiner makes an important point about the ease with which this can happen in his discussion of pronatalism and family policy. While the encouragement or discouragement of procreation may be a legitimate objective, he writes, such policy involves "intangible sentiments" that are "susceptible neither to legislation nor to executive order or court decree."

Steiner raises important points as he urges care in forming family policy, but must we throw out prevention policies as, therefore, unworkable and allow intervention only when change has already occurred? Is family policy only possible when there is a crises or when large numbers of families are in jeopardy? Is there no room for family policy that could provide for guidance, parenting skills, child care, medical insurance, food and nutrition programs, before the need is felt by millions? Can it be so, as Steiner says, that family policy has little or nothing to do with children from intact, "normal" households?

Sitll another question arises about whether government intervention always prevails over individualism. A thoughtful answer was proposed by Otto Pollack (1967, pg. 205) to this question:

> "In the final sense the impact of government upon the family is the impact of large-scale organization upon small-scale organization, the impact of standardization upon autonomy, the impact of security upon risk, and the impact of the professional upon the layman. From the vantage point of the past, this appears to be invasion and limitation. From the vantage point of the future, the following reformulation may be in order: In the ups and downs of social change, the impact of government upon the family is followed by the impact of the family on the government. Seen in this light it is the impact of autonomy upon standardization, the impact of courage upon security, and the impact of individualism upon depersonalization in a maintained state of point and counterpoint."

Perhaps Pollack's observation holds more truth for those who live under a government in which individuals can make their wishes known through selecting those to represent them. The conservative wave of social thinking that has grown in the United States in recent years has influenced family policies on abortion, federal support for reducing sexism in employment, and financial support for families with reduced income. Each of these issues, along with many others affecting families, will be raised with the voters in the next election to decide whether or not the conservative tide will be stemmed. As Steiner acknowledges, "the political stakes are high because the population of troubled families is isolated neither by geography nor class nor race." They all can vote and can have a voice in who makes family policy.

The family is often thought to be the victim rather than the shaper of change. Sociologist Elise Boulding (1983) believes that countries peopled principally by immigrants are proof that families are shapers. She notes how immigrant families took the "raw materials of the new world" and constructed a new reality for themselves. She stresses that family policy has always responded more to the crises of families than to their creativity--more to their stress than to their reconstruction of reality. "The family," says Boulding, "has met fire, flood, famine, earthquake, economic and political collapse over the centuries by changing its form, its size, its behavior, its location, its environment, its reality. It is the most resilient form available to humans." It seems clear that Pollak is correct when he calls the interaction of the family and society "a state of point and counterpoint." To respond only to crises and to fail to support creativity seems short-sighted even though there are drawbacks inherent in preventative family policy.

There is no argument with Steiner's message that policymakers should know why they are stepping in. The "guiding-image" is essential, for as Steiner says: "Without guiding image, political actions can be taken independent of social objectives. A guiding image supplies the 'why' that justifies the 'what'."

In his paper, "Divorcees, Children and The Public," Jan Trost addresses the policy implications of divorce and custody which are examples of both the stress families face and of their creativity in facing change. In his general remarks about social policy, Trost takes a slightly different perspective from Steiner on the question of whether family policy follows social change or provokes social change. He states that social policy "should aim at following 'natural' trends not at changing 'natural' trends." The illustration used to make this point is that of pronatalism: between 1956 and 1973, Hungary had a liberal abortion law. However, by 1970, because the fertility rate had dropped significantly, the government changed to a pronatalist/antiabortionist policy. Those affected were the less well-off while those better-off knew how to circumvent the controls. The effects were short-lived as the birthrate is about as low currently as in 1970.

A similar situation seems to have occurred in neighboring Romania where an effort to encourage births occurred in 1966. The births almost doubled by 1977 but by 1983 were so low again that another pronatalist campaign is on to persuade couples that it is a social duty to have children. To augment this campaign, doctors who perform abortions for anything other than safety face harsh penalties while couples who do not have a child within the first year of marriage pay a "no-child" tax.

Trost advocates that the aims of social policy should be toward simplifying the lives of family members by financial support, easing matrimonial laws, abortion laws, and other laws that would lead to survival under stressful conditions in a "decent or good way." He objects to family policy aimed at helping individuals or families to be "happier." One wishes that Trost had defined both the terms "natural trends" and "happiness" more clearly before asking family policy to follow the first and rule out the second.

One of the important family policy issues raised by Trost is that households or individuals rather than families should be the targets of social policy. The household is much easier to define because everyone lives in a household of some kind while "families" have become more and more difficult to pin down. The concept of a familial household (one which in some fashion is semi-permanent and performs family-like functions) makes possible the inclusion of a wide variety of living units which usually are not considered as "family." This seems to be a necessary step if family policy is to reach all children and their caretakers.

Several countries have taken the household focus: the United National University based in Japan has begun to focus on primary household membership of both men and women during a variety of stages of the life cycle; research projects in the Dominican Republic are concentrating on women in households; and in the United States, anthropologists and family sociologists have related intrahousehold interaction with community interhousehold interaction. (Boulding, 1983). Trost also points out that a household may be less emotional in nature and more receptive to policy of a practical kind than families might be. His point, similar to Steiner's, is that society cannot successfully legislate about feelings and intimate concerns.

Trost concentrates on divorce and its implications for children and their parents to illustrate his belief that when a social phenomenon becomes common, social policy should reflect this change. Divorce for couples with children is a growing phenomenon and as such fits Trost's criterion for development of social policy. In particular, he suggests policy is needed to deal with three aspects facing families as the effect of divorce.

The first of these has to do with the nature of divorce itself. Trost advocates changing divorce laws to eliminate grounds of fault and thus, in fact, eliminating the adversary system which attaches blame to one parent. In the United States and several other countries, this has been accomplished.

The state of California was the first state to change to no-fault dissolution in January, 1970, with the goal in mind to avoid "confounding morality with law," to quote Oliver Wendell Holmes. (1897)

In evaluating the first decade of no-fault dissolution, some serious problems have surfaced. It appears that while divorcing parents may be spared the labels of "guilt" and "innocence," children are largely unaware of the new system and are more influenced by their parents' attitudes about the causes for their divorce. If the parents really believe they are equally responsible, this is usually communicated effectively to the children. However, no-fault laws, in and of themselves, cannot change emotions of hurt, anger, and feelings of blame. When these exist, they are easily transmitted to children who attach the same blame their parents do.

In addition, studies of property settlements following no-fault dissolutions have consistently shown that divorcing mothers fare worse than they did under the adversary system (Welch and Price-Bonham, 1983). Since most children are awarded to their mothers, the facts are that children, too, are faring more poorly financially than under the adversary system.

In Trost's second recommendation for social policy to remedy the plight of children following divorce, he suggests that the financial condition following divorce be a target area. As he says, "we would not dream of claiming that a good financial situation makes children or adults happy. But certainly a poor financial situation can only harm and cause damages." And yet, studies of the no-fault system indicate that here is a case of one family policy (changing divorce laws) exacerbating the financial problems faced by children and thus creating the need for additional policies to remedy their plight.

Trost's final recommendation for family policy concerning divorce is that custody arrangements be more flexible and open to periodic change. Both sole custody and joint custody are viewed as suitable in only a portion of cases but unsuitable in others. Trost makes the point that when the policy is to award custody to mothers only, as is the case in many "developed" countries, or to the father only, as happens in many other societies, the best interests of the child frequently are not served. At the same time, a policy making joint custody the rule also raises serious questions since many divorced parents find this kind of cooperation next to impossible. In essence, Trost may be asking for no family policy on custody but instead, for each case to be decided on an individual basis.

The policy of awarding custody to mothers is the result of "the doctrine of tender years" (belief that mothers are naturally better care-takers of small children than fathers are) and as a result of the adversary system which usually denies custody to the "guilty" party who is being sued for divorce. The shift toward joint legal custody has also occurred in large measure because of changed divorce laws, although the spirit of the law claims that decisions are based entirely on the best interest of the child. Many critics of joint custody believe that this arrangement does not provide any more of a continuing and meaningful relationship with both parents than does sole-custody. Trost supports this point of view by his description of Sweden which has taken a position that just as joint custody exists during marriage so shall it continue automatically after marriage, if the parents agree. It is assumed that such an arrangement will be of the greatest benefit to the child. Nonetheless, Trost reports that 75 percent of children in joint custody in Sweden live with only one parent and that is usually the mother.

In the United States, the drive for equal custody rights for fathers has resulted in laws in twenty-eight of the fifty states that either permit joint custody or give priority to it. However, the mother has physical custody in nine out of ten cases and many custodial mothers believe themselves to be handicapped by fathers' "veto power." The average father has more rights but no more responsibilities than under the sole-custody laws. It is clear that joint legal custody is not the same as shared physical custody. Living arrangements are generally the same under both sole and joint legal custody and the decision of where the residence shall be is usually mutually decided by the parents rather than by family law.

In their research paper "The Child's Use of Family Resources," Gary Ochiltree and Paul Amato move from a focus on children of divorce to one of family resources and their effects on children's competence. The authors emphasize those family resources that are found in family relationships and processes, or in the links the family has to the outside world. They recognize that children born into families with greater access to resources--both material and interpersonal--have an advantage in developing the necessary competence to cope with the demands of growing up. Competence was defined by the authors in their study as the active use of resources by each child and was measured using three different abilities needed for coping: reading, self-esteem, and twenty everyday skills rarely learned in school (making a bed, preparing simple meals, etc.). Children fell into low, intermediate, and high categories of competency as judged by these factors.

Each child's family was also judged low, intermediate, or high in offering resources such as material goods, information, inherited capacities, personal relationships, etc.

Each child was assigned to a category devised by combining competency and family resource ratings (i.e., low-low, low-high, high-low, and high-high).

Neither the children from high resource families who were high in competence nor the children from low resource families who were low in competence were unexpected findings. Of more interest were those who were high in competence even though they came from low resource families. Many of these children were from one-parent families where resources were much lover than in the past when the other parent had been present. In other low resource homes that produced children of high competence, family relationships mitigated the effects of poverty of material resources. High competence children, no matter what other hardships they faced, had a close relationship with at least one strong, supportive parent. The authors stress that while increased resource support must be a family policy goal, it is essential to consider more than financial and health matters. The quality of the interrelationships within the home must also be of primary concern and family policy must bolster this part of family life with parenting-skill training, therapy, and other plans enabling parents to strengthen their skills and to enrich their own lives.

In particular, the authors recommend aiding parents--especially fathers--to educate themselves for their role as a parent; to provide more pre-school and child-care facilities to ease the burden of employed parents; to recognize the fragile structure of multiproblem families. It is, as the authors remind us, through parents that children build their coping skills and thus their self-esteem. Both are crucial to enable each family member to use his or her creativity to keep the family alive.

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WEDNESDAY, 22 AUGUST 1984

Youth policies and the family/work/education relationship

OLD CONCEPTS AND NEW SITUATIONS

The Position of Youth in Western Societies

Discussion Paper

Lea Shamgar-Handelman
Departments of sociology and education
The Hebrew University of jerusalem
Israel

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The two papers presented in this session focus on youth and youth-related problems in western affluent societies. I found the papers complementary - describing, discussing and analyzing the same phenomenon from different points of view and within different cultural contexts. If we eliminate the specific social context and the particular problems these papers deal with, we cannot but be convinced that a major change in the position of youth in modern western societies has taken place in the last decade. It seems that if we do not already encounter similar phenomena in our societies, we can expect to do so in the near foreseeable future. I do not think that there is anything to add to the convincing data and analyses presented in this session, and differences of detail in other societies would not add much. For that reason I would like to treat as a fact the phenomenon described and relate my comments to the meaning of this phenomenon to the areas of sociological and social policy thinking. In my short discussion, I would like to touch on three areas in which the changesin the position of youth in our societies call, to my mind, for re-thinking. 1) The relationship between "youth" and age categories, 2) The meaning of the described phenomenon for the existing class structure, and 3) The meaning of the change in the position of youth within society for the relationship between the Family, as a social institution, and the Society and its social policy.

"Youth" and Age Categories.

In most Western societies there is an age that symbolizes the beginning of adulthood, and at this point in a person's life he becomes fully responsible for himself and his deeds. Up to this point his family of origin carries, at least in part, the responsibility for his actions and has more or less clear responsibilities toward the youth himself. This age, in most western societies that I know of, is located somewhere between 17-21. Adulthood allows a person to make his own personal choices without asking parental permission (for instance, for marriage, housing arrangements, etc.), allows him to vote, allows him to use full banking services, to sign a contract, and so forth.

Both papers, that by Edgar & Maas and that by Eckert & Willems, when they talk about youth, include in this group young people from the age of 15 to the age of 25. This unconventional use of the concept "youth" points to the first major problem resulting from the change in the position of youth in modern Western societies. For some of the young people, the gap between formal maturity and capacity to function independently in society is growing. For these people, full, mature functioning in the complex modern Western society entails a long period of preparation and education. Part of this period (generally, the high school education period) is recognized as a "moratorium", and many social arrangements have been crystallized to help young people to go through it more or less successfully. The prolonged period of preparation is fairly new, and a direct result of rapid technological development. Neither society, nor the family or the individual, has yet had a chance to become adjusted to it.

On the other hand, one of the results of the complexity of modern life is the variety of tracks towards success. The long-accepted educational track of social mobility has become only one of many alternatives, although still the main one. Some of these alternative tracks can be adopted at a comparatively young age and success can be reached even before, or immediately after, the young person has reached legal maturity. So it may happen that two brilliant classmates who have reached the age of 21 will find themselves in totally different positions with regard to their adult functioning. One, a brilliant student in medical school who has decided to become an open-heart surgeon, is facing 7-10 years of study, during which the full expression of his adulthood will not be possible. The other, a successful popular singer, is already completely independent and involved in adult functioning. He receives full social rewards (money, power, prestige) and the full responsibility for his actions lies with him alone. I would think that his lawyer, economic advisor and public relations person advise him on the possible outcomes of any decision he makes, be it the expression of political opinion, personal relationship, or financial commitment, but the final decision is his. Moreover, at the age of 20 he might expect to reach the peak of his career during the next 7-10 years and might already have made provision for the undesired, although expected, decline in his popularity. In these two extreme cases, one is looking forward to starting his career, while the other, at the same age, can already more or less predict its decline.

As a result, adulthood, although still a distinct stage in a person's life, has become less dependent on age than ever before in the modern times. The comparison between achievments of young people according to age has become difficult and the prediction of stage in life according to age, almost impossible. The different tracks available for reaching full competence to function as adults in society dictate different stages and different timings of the process. The fact that the type and amount of social rewards for success in any domain are becoming more and more similar makes the choice of track and the comparison between tracks ever more difficult.

This situation calls for new and more flexible definitions of the concepts of childhood, adolescence and adulthood. Without redefining these concepts and adjusting the definitions to the new reality, any social policy that uses universalistic criteria will answer the need of only part of the category at which it is aimed, and might very well be misused by other parts of the category.

"Youth" and Class.

The paper by Eckert & Willems, which deals with youth participation in a variety of radical movements, some aimed at social change and others dealing with personal fulfillment, brings up the question of class differences in opportunities for youth.

The phenomenon of youth participation in radical movements should be looked at, to my mind, as an integral part of a prevailing trend towards an increasing number of mobility tracks that serve as alternatives to the main track of mobility, one which moves through education to well-defined occupations. The trend of alternative mobility tracks is more prevalent, it seems, in the more affluent societies, where an excess of economic resources exists, although usually unequally divided among different social categories. One of these alternative mobility tracks is political functioning in radical movements. Many of these movements, with time, become institutionalized, the political activity within them becoming a reward-carrying activity. The same can be said for different eccentric religious movements. But not all the alternative mobility tracks take the form of mass social movements. The consumption-oriented modern society is looking for new consumer goods. This market absorbs new goods which, to a large extent, are valued mainly for their novelty, and not necessarily because of the investment and/or the talent that went into their production. The fashion of candle-making, or of handmade, coarse sandals, the fashion of beatnik dress or the punk hairdo, pop groups or the natural food craze, these are some examples of products initiated by youngsters who are amateurs and which, within a comparatively short period, become market products with high, and sometimes very high, economic value. A little different are sports, popular art and entertainment, the movies and television. These domains absorb youngsters at very early ages, if the youngsters can prove extraordinary achievements. The process of entering these areas sometimes demands very protracted preparation and the investment is extremely high. For every Nadia Comanescu who succeeds, there are thousands of little girls in the world investing dozens of hours a week in gymnastics. Success in these areas carries very high rewards. But the risk is very high as well. You are either among the best and then the investment is more then worthwhile, or you lose all the investment and get no benefits whatsoever. Because the decision to make that kind of investment must be arrived at and put in motion so early in the life of the child, it is many times in the hands of the family. The movies, sports, art, and so on, are not phenomena of the last decade, neither is the participation of children in them, and Shirley Temple is proof of this. But I would argue that lately they have become, more than ever before, a recognized alternative success track.

All these alternative mobility tracks, whether used by children or by young adults, can best serve those who have at least a minimum of security, which usually stems from class origin. That is to say, the alternative mobility tracks can be used by children or young adults whose parents can, and are willing to, invest in a very high risk process of preparation, or those who, in case of failure, can manipulate resources (financial, educational) in order to return to the main track of social mobility.

Eckert & Willems seem to be concerned with the influence of youth participation in radical political movements on the general social order. He tells us that youngsters from "the human capital class" are those that are most attracted to the radical movements. American data on communes (which I consider another kind of alternative mobility track) show that most of the commune members are "middle class" kids. In both cases one can predict, on the basis of past experience, that most of those "radical" youngsters will, with time, find their place in the established, institutionalized, society. As a fact, only very few middle-aged hippies can be met on the streets of the big cities. I do not suggest treating the participation in alternative mobility tracks as immature adventure, because changes of mobility tracks always involve loss of human investment of resources that only rarely can be completely replaced. Nonetheless, I do suggest that the alternative mobility tracks used by middle-class youth do not constitute a real threat to their place in society nor to the existing social order, and for this reason I do not expect to see a serious attempt on the part of democratic governments to eliminate them.

The situation of the youth from the lower classes is totally different. The unskilled or low-skilled population of workers was essential to the economy of modern societies for generations. Technological developments have reduced the numbers of unskilled workers necessary, but have not diminished the need for the whole category. Many sociologists in this century have pointed to the methods by which Western societies have retained this category and obstructed its upward mobility. The need for this group can best be proved by the massive labor migration entering European countries and the United States. The recent changes that have occurred in technological society can be described as the rapid obsolescence of the unskilled workers category. That is to say, many children born in the last 10-12 years were, and are still, brought up to find their place in society in these lower classes. Already today they find themselves prepared for a non-existent role and position in society. This phenomenon is likely to intensify considerably in the coming years.

This group of youths do not enjoy the alternative tracks of mobility open to the middle-class youngsters, nor can they manipulate resources to return to the main track of mobility, which they usually abandon at an early age and with very low achievement. This group of "floating" youth should, to my mind, be the main concern of those powers in society which are trying to maintain the existing order more or less intact. Social policy that creates real alternatives for this group of youths is essential.

"Youth" and the Family.

The existing relationship between the family, as a social institution, and society as it is represented by values, by laws and by social policy, can be understood only so long as the Family is still considered the main, and the preferred, unit of social reproduction. In other words, as long as society assigns the family to be the responsible social unit, the unit expected to raise (bear, rear, educate, and socialize) the coming generation, the relationship between family and society is one of "bargaining", based upon mutual consensus. The family, for its part, accepts the role of social replacement, but at the same time expects to get social approval and to be rewarded by society. Society, for its part, recognizes its obligation to reward the family for fulfilling the essential role of social replacement, and would reward even more those families that carry out this role in accordance with social values. And so, for example, Indian society will reward the family with fewer children, while Israeli society will reward the family with more children, and Chinese society will impose financial punishments on a family that has more than three children - the examples are many. Among the many other mutual rights and obligations that are crystallized between the family and society is the duration of the family's obligation toward its children. As long as the family is responsible for it's offspring, they are considered as "children", they do not have full membership in society, they are not allowed to exercise independence, and the family is rewarded for being the guardian of people who are as yet "not of age". That is to say, the rights of young people to enter different social spheres, to act in them, and to take responsibility for their actions, is at the same time a release of the family from the obligation to control, to supervise, and to take responsibility for the acts of its children in those spheres.

The prolonged childhood, as this term is used by Edgar & Mass, described in the two papers presented before us, raises the question of young people's rights and the obligations of families. The inability of young people to make effective use of the rights awarded them, at the age when society declares them to be adults, creates a time gap between the end of the family responsibility and the beginning of the full capacity of young people to be responsible for themselves. Another kind of time gap is created when some children are able to fulfill adult roles in certain areas, like earning substantial sums of money, long before they are of age, yet as minors they still are obliged to accept their parents' decisions concerning their career or use of its benefits. These time gaps obscure the clarity of rights and obligations concerning family roles and, more than other aspects of the phenomenon discussed, is, to my mind, a threat to the social order. The unclarity of these areas makes it difficult to fulfill the familial roles. The comparatively low rewards given for such fulfillment in many Western societies adds to the lack of will to fulfill this role.

Edgar & Maas point out that young people are leaving home today earlier than in the last one or two decades. This early exit from the home does not, according to his data, raise strong familial objections. I would translate this phenomenon as a readiness on the part of the family (especially in certain social categories) to be released from its obligations (and to give up its rights) early on. At the same time, the family allows these young people, in case of failure, to return and to enjoy the protective family framework for shorter or for longer periods. This exemplifies the lack of clarity described before. Parents are ready both to relinquish their obligation before it is legally ended and to accept the same or similar responsibilities long after they are legally obligated.

I would argue that what we are witnessing today is a process of negotiation between society and the family, as a social institution, on questions of mutual rights and obligations. Some of the examples described in Edgar & Maas paper more than hint at this process of negotiation. The rise in marriage age, the reduction in the number of children, or the refraining altogether from having children, and the increasing number of youngsters who prefer a quasi-family (with or without children) to the well-established, institutionalized, legal family - these are all examples of the reluctance of young people to take on full familial roles. This reluctance may be seen as an expression of dissatisfaction with the position of the Family in society, and/or a demand for higher rewards for the fulfillment of familial roles, and/or a passive disapproval of the meagre resources awarded to the family for fulfilling its roles.

The increasing numbers of "unrooted" youngsters, especially those from the lower classes who still cannot take full responsibility for themselves and are legally nobody else's responsibility, call for new social policies concerning youth. These new social policies should not take the form of a direct answer to the needs of a specific category, as many social policy programs do. I think that we are speaking here about a need for basic social policy that aims to rearrange and redefine the relationship between the different social institutions responsible for the process of social replacement in society. Only on the basis of redefinition of rights and obligations between redefined social categories can any practical social policy program be effective.

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THURSDAY, 23 AUGUST 1984

Work, economic policies and welfare consequences and responsibilities

XXth International CFR Seminar on

SOCIAL CHANGE AND FAMILY POLICIES

Melbourne, Australia, 19-24 August, 1984.

Discussant paper

THE FAMILY-INDIVIDUALISM FLIP-FLOP AND ITS IMPLICATIONS FOR ECONOMIC AND SOCIAL WELFARE POLICIES by Margrit EICHLER

Discussant: W. Dumon

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1. INTRODUCTION

Dr. Eichler's paper deserves our attention on many grounds but, in the context of this seminar, more particularly because it focuses on one of the main issues in family policy. Indeed, one of the main debates in family policy, for years now, has been on whether social policy should be aimed at individual welfare or at family welfare. More specially the feminist movement has vocalized the point of view that the individual should be the unit for social benefits and social security, whereas family movements have stressed the importance of considering the family as the unit for such support systems. In Europe for instance feminist movements and family movements do not only hold divergent view on this matter but are, in many instances, fighting each other over it. (1) Familism versus individualism also carries ideological overtones in Europe. Familism as a principle is being supported by conservative or moderate ideologies as well as by church-related movements, individualism is being supported by political left wing as well as by secularization oriented movements.

A second interesting feature in Eichler's very well structured paper is the fact that its approach is comparative. More particularly the typology of changing family models over time is presented as being characteristic for all highly industrialized societies (in Eichler's wording: "countries"). The author compares this family typology to the social welfare policies as well as to economical policies. Due to the global dispersion of highly industrialised societies, all participants in this seminar are able to evaluate Eichler's conclusions as well as to fill out the blanks left by her comparison. In this respect this paper should be given due consideration and attention during our seminar.

2. CRITIQUE

Although it is not my intention to critisize Eichler's paper on its own merits, but to take the problem raised here seriously and [illegible] gear my remarks to one of the core problems of family policy, still I cannot but draw attention to some of the particular characteristics of the paper, which otherwise might make for confusion in our debates. This is all the more so since the three aspects I will pay attention to can be seen either as some flaws in the paper or as some alternative approach to the problem, somewhat differentiated from classical scholarly analysis.

a) Eichler's paper is not mere descriptive or analytic but has some advocating overtones. The more the author develops her arguments, the more the partizan overtones emerge (or the more the reader becomes socialized with her ideas). This approach is reflected in the semantics (patriarchic family versus emancipated family) as well as in the style used. (The reader is served with rethoric questions: e.g. p. 14 "How can she repay $ 18.000 on that salary?") As a conclusion: The paper is advocating a feminist stand which seems to me very reasonable as a point of view but, like love tends to do, blinds the author in some respects or makes her views somewhat myopic. (2)

b) The author fails to give very clear definitions of the concepts used. (This might be due to my unfamiliarity with her earlier work.) Neither the term "familialism" nor "individualism" is being adequately defined. But this does not put a major problem since to these terms the normal Webster dictionary contents are being attributed, whereas the textual context is explanatory. However, neither the term "economic policy" nor "social welfare policy", are defined which really creates problems and might lead to misunderstanding, certainly in a cross-cultural analysis and/or in an international seminar of scholars belonging to very different socio-economical systems. (Even on p. 17 respectively p. 26/28, in which these policies are enumerated, a proper definition is lacking.).

c) Consistent with the characteristics as mentioned above in a) and b) the paper applies some standards of "social justice". Two remarks: 1° It is questionable whether a universal ideology of social justice does exist, i.e. whether all human beings do agree on applying the same social judgments, the same moral standards. 2° Whatever the answer to this problem which is not a sociological problem it should be made clear that in any type of system, in any type of conflict, differentiated positions can be distinguished and should be distinguished (for instance on p. 21-23 what is being regarded as a paradox is only a paradox from the position of wife/mother, but not from the position of society or family-supporting systems). Here again a partizan point tends to blind.

3. DISCREPANCIES BETWEEN HOUSEHOLD AND FAMILY MEMBERSHIPS

The point raised here by Eichler is, I think, very well taken. Phenomena such as one person households, a fast growing family structure in Europe, is indicative for the point raised here, as is the phenomenon of LAT-relations (Living Apart Together). However, three remarks can be made.

a) The emphasis put on divorce, as well as on illegitimacy, broadens the issue. Let us take the example of divorce. Divorce usually marks the ending of a household and certainly the ending of a marriage (family). In my view the problem is not one of discrepancy between household and family, but between 1° former household and remaining responsibilities from the belonging to that former household and 2° the status of ex-spouse and the position of continuing parent. It should be noted that Eichler puts the stress on the continuing parent role, whereas the position of ex-spouse and ex-participant in the household is far more lasting and more permanent, the parenting role being temporary in essence. It should be noted that here not so much and certainly not exclusively family systems are at stake but societal systems. Take the parental system, much stressed by Eichler. Whatever family type or model being prevalent, society attributes the parental duties to the family. What here is at stake is not differentiation between family models but a way of division of labour in which the family emerges as a specific agency responsible for the socialisation of the youngsters.

b) To me it would be more strategic to replace the dualism household versus family by three concepts: household, spousal relationship, parental relationship. All three of these relationships do constitute economic support structures for its members. All three can coincide, they can have overlaps as to membership and they can be quite different as to membership, not having two persons belonging simultaneously to the same structure. It might be appropriate to use the term family to those models in which the three structures do coincide, rather than to apply "family" to one structure and "household" to another.

c) The term "major economic support structure for its members" (p. 1) is, for me, too narrow a definition of the basic economic function of the family. More specifically, an analytical distinction should be made between family (including spousal and parental subsystems) on one hand and the household structure on the other. The former group is not a mere economic support structure - which it surely is and increasingly so in some respects - for instance, the emergence of the family of gerontation that has to give support simultaneously to ascendants and descendants. The most important economic function of this former group however is the attribution of economic possessions: through birth, marriage, death (increasingly: divorce). The important feature here is that household formation by youngsters (away from parents) separation and/or divorce (from spouses), does not terminate the right to this attribution, but on the contrary often actualizes and realizes these rights. The latter group, household, however has opposite tendencies. The formation of new households often terminates the right to support (especially for youngsters, parental system). For spousal system it is increasingly being questioned (many advocate that society at large should take over) that termination of household implies continuing support rights. In case the household does not coincide with parental or spousal relations, any termination of the household system entails society backed claims for continuing support.

As a conclusion: Family versus household is important from the point of view of differentiated membership. The problem of economic support however is less contingent on that differentiation than it is on differentiation between marital and kinship structures. Households on the other hand are important as far as economic support is derived from society at large, i.e. non family systems.

4. ECONOMIC AND SOCIAL WELFARE POLICIES

The distinction between economic and social welfare policies indeed is very relevant for the problem treated. As to me however, it would be more relevant to distinguish, not between two but between three systems of economical distribution and redistribution systems in society: a) the taxation or fiscal system; b) the social security system; c) the welfare system.

a) The taxation system

Here the whole question of one earner versus two earner families is at stake. One earner and two earner families here equal with one earner and two earner households. Whatever internal family structure, it will be influenced by this division of labour (in outdated terms: allocation of instrumental roles). It should be taken into consideration however that all persons in the household derive economic benefits from the increasing income by the increasing number of persons earning money. More, not only the individuals, but the household as a whole can be better equiped, housed, can benefit from greater and more secured supplies etc. etc. In most highly industrialized countries the taxation system is family related and developes a tendency to become household related. In many European countries, one way or another, the taxation system is marriage unfriendly but family friendly. I.e., income by husband and wife, to a certain extent and above certain levels is added up and since all taxation systems are progressive, which means that the percentage taxation to be paid is disproportional. Two persons married together do pay more than each would have to pay separately. It is family friendly to the effect that dependent persons such as children and other dependant persons to a certain extent allow some taxation deductions. Family movements and feminist movements both fight the taxation system. Family movements are inclined towards a system of splitting, i.e. that the total income of a family/household should be devided up by the number of persons in that household. (They do not claim that it should be divided up evenly.) Feminist movements on the other hand, one way or the other, advocate a system of decumulation. They do not want the incomes to be added up but they want them to be taxed as separate incomes. Both groups fight each other over it. The whole issue of one versus two earners family is here really at stake. In this respect any ideology of social justice is here less relevant than the issue of reallocating positions of women, not in their capacity of mothers and/or wives but in the capacity of the non family positions they take, more particularly the incentives to be given to make women more available for the labour and (carreer) market. Social justice is here not justice as to income distribution or redistribution, but social justice is here equated with equality in opportunities across gender.

Consequently I could take issue with a lot of statements in Eichler's paper. However, such a debate might be irrelevant for the issues at stake since no one or everybody always is right not only as to the values but, more important, as to the objectives to be realized as a result of the policies being put forward.

b) Social security system

Social security systems in Europe are based on the idea of solidarity among workers and developed, more particulary after World War I. The systems covering pension, health care, unemployment, child allowances and some others such as vacation etc. are basically work- and wage-related. The notion of "family wages" is here a key note; at least it was, originally. A good example is being offered by the child allowance system (in Europe). The contributions for the child allowance system are deducted from all wages (married/unmarried, male/female), put into "caisses" and paid out to "families". Actually, child allowance is based on the work of the husband-father, but paid to the wife-mother or anyone else who actually takes care of the children. Important is here that the family model is irrelevant as to the amount one receives but is quite relevant as to the contributions (the latter is becoming decreasingly unimportant). If there are problems, and there are many, they are not related to household type or model but a) growing critique is directed to the administration or the efficiency of the system. b) There is a growing divergency of opinion on the purpose of the system (horizontal versus vertical redistribution). c) There is growing critique on the system as being based on wages rather than on needs (one-parent families headed by a non-working parent). As a conclusion, family allowances in Europe create problems but this is not due to discrepancies between family and household but to the social security system itself being based on families rather than on individuals.

c) Social welfare systems

The social welfare system is, in many aspects, divergent from the taxation system as well as from the social security. Taxes are related to capital and income with some exemption for "dependent persons". Social security is related to the labour force. In both systems there is no question of personal illegibility but of total populations. On the contrary the social welfare system has quite opposite features. In the architecture of "social provisions" it serves as a safety net, for individuals not being able to take care of themselves. In all Europe social welfare systems can be characterized as an orthopedic device for socially handicapped. Essentially the social welfare system is an indicator of the deficiency of the other systems (e.g. social security). One of the main characteristics is that the social welfare system is based on the unability of the persons requesting economic support, i.e. on criteria of illegibility. Consequently in the welfare system there are "clients" versus "social workers". Social welfare is part of social work. However, in many European countries, in the sixties, laws have been passed to the effect that, first the aged, later on, all independent persons are entitled to a minimal income. For instance in Belgium, January 1, 1975, all independent persons have a minimal secured income. The amount is fixed each year and is household related. If a one-person-household equals 100, two cohabiting persons receive 138. The income is not family or spousal related but household related. Children are not, or not yet, regarded in this system as persons of their own; they are dependent. Consequently in a one-parent-family e.g. consisting of a mother and her children, the mother is entitled to minimum income for herself as an individual; her children are not entitled to a vital minimum; they are expected to be dependent on their mother for which she receives social security (child allowances). Next to this vital minimum social aid can be granted. This is not a right. There is a big difference between one and the other, between vital minimum and social aid: the former is a right, therefore guaranteed and that right can be enforced (through court); the latter totally belongs to the discrationary power of the social agency. Both systems however are being administrated by the local communities (in Belgium: OCMW/C~~E~~PaS CPAS; in the Netherlands: Sociale Dienst van de Gemeente). The number of people benefiting from the system is expected to be rather low, actually marginal. In times of economical crisis their numbers do increase (by definition beyond expectation).

Although family models, as being described by Eichler, do exert some influence on the social welfare system, the main problems at this point in time are of quite different a nature. For instance in Belgium 1984 (Orwell) one of the main problems is that the central administration requests the communal social welfare systems to exert their right to claim back the amounts allocated to persons and households, not from the ones who collected vital minimum/other financial support, but from their "families". Although the spousal relationship is not excluded, the main emphasis, in actual numbers as well as in principle, is on kinship. Ascendents, descendents and even colaterals (siblings) are the main targets. Under the style of family solidarity they are now expected to pay back the amounts, partial or total, attributed to the clients of the social welfare system. The communal social security agencies as well as the communes themselves, openly do protest against these requests of the central administration. Whatever the outcome of this debate, it is mentioned here for two reasons which are relevant for the problem treated in Eichler's paper. a) Although the cry "family solidarity" indeed does refer to a certain type of family model, the problems experienced lately are related not so much to changing family patterns (which indeed do occur) but can be conceptualized as a fight between the central and local administration. b) The fight relates to the concept of social work and social work ethics more than to the concept of "family". c) The most important feature however is: financial resources. Because the cost for the social welfare system dramatically increases (ex. persons dropping out of the unemployment system), the central administration is looking for devices and regulations which might control, i.e. limit the financial burden. The actual difficulties are not so much due to the changing family models but to the economical crisis, more particularly to the situation on the labour market.

CONCLUSIONS

1. We do experience rapidly changing family patterns in all Europe as well as in other highly industralized societies. However, the linkage between these family patterns and so-called economic and social welfare policies is not simple but very complicated a matter. It might be strategic to look at these changing family models not as the cause of friction or of the lagging behind of policies (out of whack) but on the contrary, it might be strategic to examen the changing family models as the result of changing societal patterns.

2. It might be strategic to differentiate the different types of policies (social security versus social welfare). Each policy being aimed or geared toward different objectives may result in different, even conflicting influence on individuals, families, kinship structures etc. These differentiated effects hardly can be regarded as contradictions of the system, but can be regarded as counterbalancing elements.

3. The differentiation between individuals and family groups as appropriate targets for policies (economic, social security, social welfare) increasingly is being defined as a crucial issue. The subsistance of the familyn spouses versus parental, however should be distinguished here very carefully in order to avoid confusion. Indeed, the differentiated policies do regard this subsistance as units of concern, rather than the family as a unit. In this respect, the mere notion of family policy as a policy "involving parents to substain children" refers to the parental system with the exclusion of the spousal system (Steiner, 1978, 234).

W.D. June 21, 1984

NOTES

(1) In governmental administration in Europe, family respectively emancipation affairs usually resort under separate administrative units. In Europe these administrative units are often supplemented by commissions consisting of representatives of NGO's. For instance in the Netherlands an "Emancipation Commission" has been established. One of the main tasks of this commission concerns the impact of regulations, e.g. of pension provisions on the status of women, more particularly in order to been any discriminatory effect. A member of the scientific staff, adjunct to this commission, told me that, whenever she wrote a report for the commission, referring to the family as a unit, the text was then regarded by the commission as being infected and had to be rewritten all over (Interview May 22, 1984).

(2) The author focuses the total problem on the changing family models which is a reasonable way of looking at the linking mechanism between family and policy. The author however does not take into consideration a reverse relationship, to the effect that the lagging of the policy (out of Whack, p. 1, p. 8) could be due to changing characteristics of the administration, for instance, changing role of the state, changing structure of the state or state organisation (state versus federal responsibilities in American terms), economical situation; demographic squeeze etc. It is even likely that the changing family patterns reflect changings in society at large, rather than vice versa, as being reflected in the author's point of view.

Note:

Re: Appendix 3

The figures for New Zeeland read as follows:

Date	Base	Ages 25-29		30-44 (*)	
		M	F	M	F
24.III.1982	C	95.0	41.8	96.4	45.3

Source: ILO/OIT, 1983 Year Book of Labour Statistics (43ed issue)

C = Census

(*) = Computed by the author.

THE FAMILISM-INDIVIDUALISM FLIP-FLOP AND ITS IMPLICATIONS FOR ECONOMIC AND SOCIAL WELFARE POLICIES * By Professor Margrit Eichler

COMMENTS BY MEREDITH EDWARDS

1. INTRODUCTION

Professor Eichler has convincingly shown that heavy reliance in social policy on the family unit is inappropriate because of the current diversity in family types in industrialised countries. Eichler argues that, to continue to rely on the family as the income unit in policy, will cause administrative difficulties and inequities. She suggests that "The Emancipated Adult Model of the Family" would now be a more appropriate model for social policies than would reliance upon models which assume either a patriarchal family or even a family unit which is equalitarian.

I do not wish to focus my comments on the changed characteristics of families provided in this paper. Rather, I want to concentrate on aspects of the income unit question which do not appear to have been adequately covered.

Just before I proceed, I want to say how impressed I was with the comprehensiveness of the treatment of the dichotomy between family and household. I was also impressed with the similarity between conclusions reached on the appropriate directions for future social policy and the conclusions analysts have reached here in Australia (for example, Edwards 1983a, 1983b).

The specific issues I want to address are:

. the need for a clear definition of the income unit being addressed - that is whether it is the individual, the married couple, the family or the household;

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* The comments in this paper reflect entirely the personal views of the author and have been derived from her published work only. The views expressed must not be identified in any way with the Department of Education and Youth Affairs or taken to reflect government policy.

- the importance and significance of womens' part-time employment;

- the relevance to the income unit question of financial arrangements within families; and

- the treatment of children in any reformed social security structure, including the question of maintenance.

Other comments I briefly make in the concluding section.

2. WHICH INCOME UNIT?

Eichler assumes that the unit which is the basis of economic and social welfare policies is the family. But the question of the income unit, at least in Australia, is a great deal more complicated than that.

For Australian and Canada it is normally thought that the individual is the tax unit. But, in fact, both countries have elements of either marital unit or family unit taxation if not both - for example, the dependent spouse rebate in Australia and the family tax credit system in Canada. It is not usually recognised that the range of dependent rebates in the Australian tax system extends beyond the family to a taxpayer's relatives (including ex-spouse) and hence beyond the unit of either the married couple or the taxpayer with children. The relatives who attract a tax rebate need not live with the taxpayer. It is in this way, in Australia at least, that the tax unit is broader than is the unit found in the social security system.

Conceptually, a distinction can be made in taxation between the unit which is required by law to pay tax (in Australia, the individual), the unit to which tax rates are applied (in Australia the individual unless the taxpayer is a child under the age of 18) and the unit used in calculating tax allowances (extending to the taxpayer's relatives). By way of contrast, in the United States the individual is the unit required to pay tax, the married couple is normally the unit to which tax rates apply and the family is the unit affected by many tax allowances.

In social security, the unit question is exceedingly complex (Edwards 1983a, 1984). There is the unit which forms the basis of eligibility for a payment (which may not in fact be the same unit as the recipient of the payment); there is also the unit on which to levy an income test and there is the unit for determining the level of payment. Even for one type of payment, an income unit chosen for one purpose may not be the same income unit chosen for another purpose. In Australia, for example, a married person, if unemployed, is eligible as an individual for unemployment benefit. It is the combined income of spouses which is relevant in applying the income test. The number of the recipient's dependants is taken into account in determining the level of payment.

Table 1 demonstrates the range of combinations of income unit definition in the Australian social security system. This table is useful in examining who would gain and who would lose if the social security payments structure were to rely less on marital status and more on the individual as a unit. If the individual were the unit, as Eichler would want, it would not be possible to continue to provide, as we do in Australia, special assistance for sole parents or for wives of pensioners: either they would not receive any assistance, or more generally, a guaranteed minimum income for all parents would have to be introduced. In other words, a consequence of abandoning marital status from eligibility criteria would be that married parents caring for children would need to be treated the same way as sole parents and vice versa.

It is important when dealing with the unit question to make the distinction between the unit which shares its income and the unit which shares its expenditure. It is easy to confuse these two units. Any two people who live together benefit from shared expenditure; they may or may not share their income.

TABLE 1 INCOME UNIT TREATMENT FOR MAJOR SOCIAL SECURITY PAYMENTS AUSTRALIA

Type of Payment	Unit on which Eligibility is based	Unit for Income Test	Unit for Determining Level of Payment
Age/Invalid pension	primarily individual (but see wife's pension below)	married couple (a)	family
Unemployment and sickness benefit	primarily individual	married couple	family
Supporting Parents' Ben. and Widow's Pension, Class A	family (currently not married but with dependent children)	individual (b)	family
Widow's Pension Class B	previously married and currently not married (c)	individual	family
Wife's Pension	married to an age or invalid pensioner	married couple (associated with age/ invalid pensioner	individual (associated with age or invalid pensioner)
Supplementary Assistant	married couple (d)	married couple	individual (e) household
Family Allowances	family	(f)	family
Family Income Supplement	family	married couple	family

Notes to Table 1

(a) An income test applies to part of the pension in the case of persons aged 70 years or over.

(b) Maintenance payments for children are also taken into account.

(c) To qualify for a widow's pension, class B, the widow must be at least 50 years of age (or at least 45 years of age if she previously received a class A pension which had ceased because she no longer had a dependent child).

(d) If both husband and wife satisfy conditions for supplementary assistance, only one partner is eligible to receive a payment.

(e) Supplementary assistance is the same amount whether a single or married person receives it but several (unmarried) people in one household could separately receive the payment.

(f) The income of a child aged 16 or over is taken into account in determining the level of payment.

The household unit, while important in statistical collections, is not important as the basis of policy. I agree with Eichler that statistical questions focus more on which families live within which households than on the extent to which family members might live outside a single household. For this reason "one parent families" are more correctly described as "one parent households", when reference is made to those who live within one household (Eichler: 3).

While I agree with Eichler that we do need much better data on both family as well as household membership, I am not sure whether that data is crucial for policy. For policy, what is important is not whether parents live separately from their children, but whether or not parents or step-parents share expenditure with their own children or those living with them. There are very important welfare implications in whether or not a single parent remarries and whether or not parents pay maintenance. In this section Eichler omits reference to the not insignificant proportion of single parents who have never been married (almost 20% of single parent families in Australia) (Hugo 1984:49). Are we expecting to trace the parents of all children who have never intended to be "married parents"?

This type of question does not detract from the fact clearly established by Eichler that the dramatic increase in divorces, illigitimacy rates, defacto unions and changes in other relevant demographic phenomena combined with the substantial increase in labour force participation of women make it difficult to argue that social policies are in tune with the reality of the economic and social characteristics of families.

3. WHAT ABOUT WOMEN WHO WORK PART-TIME?

The most striking omission from the paper is the lack of recognition of two phenomenon: the increasing importance over the last decade of part-time work in industrialised countries, and the importance to women of part-time work, especially where young children are present (OECD 1984).

In Australia, 25 per cent of female employment is now part-time compared with a figure of 27 percent in 1973. I understand from OECD data that the corresponding figures in Canada are 32 per cent and 20 per cent. In Australia the most important contribution to the total net employment growth in recent years has been the increase in female part-time employment (OECD 1984: 51).

Of particular interest is that it is not so much whether women are married which affects their labour force participation or their prevalence in part-time work but whether or not they have young dependent children.

Eichler, not being able to obtain data on the labour force participation rate of wives, used as a proxy variable the labour force participation rate of women aged between 15 and 44 since "the vast majority of women are married" by then (p.7). But, surely, of more relevance, is whether women have young children.

International data suggest that for each age group, married women without children have a higher participation rate than married women with dependent children (OECD 1984: 32). Women's participation rates increase with the age of the youngest child (ibid 40).

In Canada, 54-55 per cent of married women under the age of 44 with children over the age of 6 were active in the labour market in the 1970's, according to the OECD which quotes a Canadian source (Canada 1982). Only 36-37 per cent of women with younger children in the same age group were in employment. It would be interesting to know what proportion of these women were in part-time work. The most recent relevant data for Australia indicates that less than 10% of married women with a child under the age of 6 were in full time and full year employment (ABS 1982).

These statistics are not meant to detract from the dramatic increase in labour force participation rates of women with young dependent children over the last two decades. But what is important to recognise is that women with young children, whether married or not, not only have lower participation rates than others of similar age but are more likely to work part-time than full time. Another relevant characteristic is that such women have a propensity to go in and out of the labour force more frequently than do other women or men.

Eichler could have related the characteristics of women's participation in the labour market to the policy question about the extent to which women, at least while they have young children, can be treated as economically independent of either husband or the State. A related policy question which I cannot delve into here is the extent to which the State, itself, has actively discouraged the pursuit of economic independence by women with young children. In the collection of any statistics on families and households, where they are incongruent, it would be very important to also look at arrangements made by parents for young children and whether parents work part-time or full time.

4. WHAT ABOUT FINANCIAL ARRANGEMENTS WITHIN HOUSEHOLDS?

While the paper focusses on the prevailing assumption (which is obviously now out of tune with reality) that household and family membership are congruent, there has been another assumption which has been made by social policy analysts; an assumption which could have been inappropriate for a much longer time period and is relevant to the question of the appropriate income unit in policy - I am referring to the assumption that the income of a household in which there is a husband and wife is pooled and that the welfare of one member of a household can be ascertained by reference to household income. The assumption is made that "....households are consistent decision making units behaving as if they contained only one individual" (Lipsey 1963:68).

If this is not an appropriate asumption - and available evidence to date would suggest that by using it can cause many hardships and inequities (Pahl:1980, Edwards:1981) then there are very important implications for social policy for the treatment of married people and also for the treatment of other members of the household, including children.

The literature finding of diversity in financial arrangements between husbands and wives reinforces the point that whatever unit is used, an inappropriate assumption will be made about household decision-making for some households. Sharing is a matter of degree so neither the individual nor a wider unit could be totally appropriate. But some assumption has to be made. And there are good reasons for abandoning policies which rest on the assumption of the pooling of income and the sharing of its benefits by family members who live in the one household.

As Eichler and other have realised, greater recognition of the costs of children in social policy is one means by which emphasis on the married couple or the family as the unit could be reduced. This issue I take up below.

5. CHILDREN AS INDIVIDUAL UNITS?

I had some trouble relating the "Emancipated Adult Model of the Family" to arguments in the paper which would suggest that all people, including children, should be treated as individuals in their own right.

The most important question to flow from the recognition of incongruentity between family and household is who should have the responsibility for maintenance for a child - the natural parent or any step-parent? And what role should the State play once families live in different households?

I have no quarrel with the logic of Eichler's argument in this section and am delighted that the policy conclusions are so similar to my own (Edwards 1983b and 1984). Eichler argues (p.25) that there should be payments to children through the mother (or, rather, I presume, the parent with whom the child is living) irrespective of whether he/she establishes a common law relationship with the man/woman with whom he/she is living. Many problems would be solved in the Australian system if this were the case and the "cohabitation rule", while still a necessary part of any system which treats sole parents differently, would not be so important in the overall level of support provided to a parent.

Eichler, although not elaborating, has made a strong case for the need for society to share in the cost of children's care. This is a hidden argument for massive redistribution of resources from higher income taxpayers generally and from taxpayers without children to those with children. This inevitably raises the question, which Eichler skips over too easily, of who should pay.

Some questions remain about the ways in which parents should share in their children's maintenance costs. Parents, when they live in separate households, have a lower overall capacity to pay, including maintenance of a child. If the State steps in, then these types of household unit would be treated differently from households in which parents live together. But there may well be a case for the State paying a higher payment to children (via a parent) who live separately from one of their parents because of the lower ability to pay that arises from such arrangements.

Different treatment of different types of family (a concern of Eichler's) would be less obvious if the parent paying maintenance paid directly to government and the government then transferred, as a social security payment, a payment for children living with only one parent. Use of the income tax system to achieve this result is one possibility (Danziger et al 1979). If this payment were combined with generous family allowances and the suggested "care allowance" (p.28), none of the payments received would rely on marital status as a criterion for eligibility and there would be a shift in emphasis away from support of the adult in a sole parent family toward support of children in that family. An additional advantage of not having a separate sole parent pension, as Australia currently does, would be greater encouragement for sole parents to earn.

5. CONCLUDING COMMENTS

There are several other points which I would love to have had time to discuss - for instance:

- the implications of unpaid work provided in the home (e.g. p.10 and p.18).
- the economic inefficiencies which arise from use of a unit wider than that of the individual. Indeed an important principle which I would want to add to those Eichler states on p.25 is that any State support provided should minimise the work disincentive effects caused by the receipt of the payment.
- the difficulties Australia has of moving to the individual unit given that, unlike Canada, women cannot receive unemployment benefit in their own right.
- whether a child's life opportunities should be dependent on the income level of parents and if not, the ways in which the State could finance the contribution it makes to ensure adequate life opportunities for children.

It is obvious that the conventional image of the typical family of husband, wife and dependent children has to be revised and policies must take account of recent changes in household and family characteristics. The fastest growing family type has been the single parent family and we can expect, in Australia, to have over a one third of couples who married for the first time in the 1970's to divorce and for over one third of children born in the 1970's to spend part of their time living with only one parent

(Hugo 1984:19). We can also expect women, and increasingly women with young dependent children, to want some continued involvement in the labour market. These facts alone, without the details of incongruentity between households and families, establish the need for a total reassessment of the assumptions which underlie our current social policies.

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THROWING OUT THE BABY .... THE NEED TO EXAMINE THE UNINTENDED EFFECTS OF TAX TRANSFER PROPOSALS *

By Andrew Burbidge & Frank Maas
Institute of Family Studies

COMMENTS BY DR MEREDITH EDWARDS

My comments on this paper will deal with generalities rather than specifics, partly because of the very short period of time I had to comment on the paper and partly because I feel that is what the paper really calls for. The paper does discuss the effects of two specific tax changes, but to make detailed comments on those two changes would divert attention away from other relevant issues.

There are three general issues on which I wish to make brief comment: first, the interpretation of "equity" in the tax/transfer context; second, the redistributive effects of universal and selective payments; and third the relative merits of cash payments for children compared with tax cuts.

The Interpretation of "Equity"

In tax literature, the usual meaning of "equity" is that people in equal circumstances should pay the same amount of tax (horizontal equity) and that people in different circumstances should pay different amounts of tax - those with greater "ability to pay" being required to pay more (vertical equity). The intractable problems are how to define "equal circumstances" and "ability to pay". Inevitably value judgements are used to determine what to include and to exclude Traditional public finance literature excludes from the definition of the income tax base income from unpaid home activities and hence excludes any imputed income from these activities in determining "ability to pay" tax. Further, "equal circumstances" are usually defined on a family rather than an individual basis.

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* The comments in this paper reflect entirely the personal views of the author and have been derived from her published work only. The views expressed must not be identified in any way with the Department of Education and Youth Affairs or taken to reflect government policy.

Shoup, a well known public finance expert, in a taxonomic treatise on tax unit issues written over 40 year ago, singled out two factors of importance in the pursuit of equity:

> "the treatment of imputed income under the tax law and a division of control, actual and potential, of the family's income between spouses". (1940:130)

On the issue of imputed income, obvious inequities arise when imputed income is excluded from the tax base. A two person household for example, would consume more leisure or more home produced goods and services if one member were in full-time employment and the other engaged in full-time home activities than if the household consisted of two earners or, indeed, only one person. (for elaboration, see Savage 1984). Hence, for this reason alone, the usual definition of income for tax purposes is less than comprehensive.

The second equity issue mentioned by Shoup relates to the distribution of income within the family. Traditional equity criterion is based on the assumption that combined marital income is a good measure of the economic well-being of an individual married partner. The available literature queries the prevailing assumption and suggests diversity in family financial arrangements (for example, Edwards 1981).

That finding reinforces the point that whatever unit is used in assessing the equity of taxation (or social security) an inappropriate assumption will be made about household decision making in some cases. Sharing is a matter of degree so neither the individual nor a wider concept of the unit could be totally appropriate. But some assumption has to be made.

Economic, social and demographic changes mentioned at the beginning of the Burbidge and Maas paper make it less appropriate than even twenty years ago to assume either that a woman will be financially dependent once she marries or that the marriage relationship will be of a long duration. Further, hardships and inequities occur when one person's standard of living is assumed to depend on another's. If an objective of policy is to ensure that all individuals (including children), when they suffer an earnings disability, have a minimum level of income support, then empirical work suggests that that objective is not necessarily achieved by defining 'equity' in terms of a unit broader than an individual.

One important implication of the available evidence is that, if, in some families, there is an inadequate redistribution of income, then there is the real possibility that any estimates of numbers of people in poverty based on the married couple or the family as the unit will be an underestimate (Young 1977; Land 1977; Gray 1979).

In the light of the above it would seem appropriate that equity guidelines used to assess tax/transfer policies need to be re-interpreted to apply as much to the individual as to a broader unit. In evaluating the extent to which people are in poverty, then, the concept of individual equity would appear to be a crucial criterion to consider.

It is these types of considerations that are completely overlooked in the Burbidge/Maas paper and hence detract from the creditability of their analysis of the equity implications of specific tax changes.

The redistributive effects of universal and selective payments

Burbidge and Maas discuss the widening gap between high and low income groups and assess tax/transfer measures according to their effect on this gap. It is not entirely clear however, whether the individual or the family is the unit for comparison (compare para. 3 with para. 4, on p.2 for example).

The paper identifies two approaches to assisting low income groups. On approach, the authors argue, concentrates assistance on those clearly "in need" and hence favours programs that exclude higher income groups. Another approach, the universal approach, focusses on some characteristics of the target group which causes that group hardship or is a barrier to their employment, (such as the presence of children).

The dichotomy that Burbidge and Maas attempt to draw between the selective and the universal approaches is far too stark. Few writers support either an exclusive selective or universal approach. Rather, the debate in the literature is about the appropriate balance in any tax/transfer system between payments of these two kinds. Indeed some argue that we have already gone too far down the 'selective path':

> "Often, there seems to be little recognition that the Australian social security system is already extensively income tested. There is little scope to tighten existing income tests - indeed, there are grounds for regarding them as already too harsh". (Minister for Social Security 1983)

More serious is the comment by the authors that universal payment schemes involve significant proportions of scarce resources flowing to high income recipients. As several writers have indicated, (eg. Jackson 1982, Podger et al, 1980) universal payments can be so structured as to have similar re-distributive effects to a system of selective payments. The differences between a universal system and a selective system would be that the former would require higher tax rates than the latter. It follows that the essential difference between universal and selective programs is in the effective marginal tax rates they contain - universal programs result in a lower effective marginal tax rate on lower income earners than do selective programs.

The redistributive effects of any payment cannot be assessed without asking the question - how are those payments to be financed? Burbidge and Maas are somewhat misleading in suggesting that advocates of universal payments generally do not consider the financing mechanism. Most proponents of increased family allowances in Australia, for example, have argued for higher taxation or abolition of the dependent spouse rebate, if not both (for example UNAA, 1981).

A related criticism is that the paper creates the impression of inevitable conflict between criteria, particularly between the criteria of horizontal and vertical equity. Yet an increase in family allowances can be said to meet both criteria: the extent of vertical equity achieved depending on the financing mechanism.

Payments for Children Compared with Tax Cuts

Over the last decade there has been a real decline in the value of cash payments for children. On the other hand tax rebates have generally maintained or increased their real value:

> "While the tax rebates for dependants were increased in each year from 1976 to 1982 rates of family allowances were increased effectively only once and additional pension/benefit and mothers/guardians allowance twice. This has had the effect of widening the gap between families with and without children and in particular the poorest families and other members of the community. A particularly disadvantaged group seemed to be sole parent pensioners (Whiteford et al 1984: 22-23)

Burbidge and Maas, for reasons not explained, focus on just two possible tax changes: a 15 per cent standard tax rate and a tapered tax rebate. Although the text mentions increases in family allowances and overall tax cuts, those two possibilities are not the focus of attention. This seems to me to be a pity.

At the beginning of their paper Burbidge and Maas identified aspects of the tax/transfer system which have attracted attention: treatment of sole parents, treatment of married women and the widening gap between high and low income groups.

An assessment of the impact of across the board tax cuts and increased family allowances on the needs of these three groups in conjunction with the use of the criteria of horizontal equity, vertical equity and economic efficiency would have been, in my mind, a much more useful exercise. Further, more attention to the relative advantages of across the board tax cuts and increased family allowances would have drawn attention to the consistency rather than inconsistency between vertical and horizontal equity objectives.

Conclusion

Other comments I can only mention briefly:

- the paper tends to lump together incorrectly universalists who might support a demogrant type of income support system (such as a guaranteed minimum income for all) and those who might simply support a universal approach to particular payments, such as family allowances (p.p. 4-5)
- the conclusions on the work disincentive effects and the poverty trap created by what is described as an ACOSS proposal - a 15 per cent tax rate - are misleading. Over most of the income range over which the lower rate of tax applies, effective marginal tax rates will be lower, not higher. It is only over a very narrow range of income that the effective marginal tax rate is higher than is currently the case (p.p. 8-9)
- the proposal for a 15 per cent standard tax rate is analysed for its redistributive (and other) effects without also adjusting tax rates on higher income taxpayers. The methodology used to ascertain the redistributive effects of this proposal, therefore is in doubt, particularly as $9.3 billion is assumed to be lost in tax revenue (p. 10).

The Burbidge and Maas paper correctly warns against coming to conclusions about the effects of proposed changes to the tax/transfer system without the use of a systematic appraisal of equity, efficiency and simplicity effects.

My comments have focussed on the importance of clarifying exactly what it is that is being appraised and why.

I have drawn attention to the need to make clear the meaning of terms such as "equity". Does "equity" relate only to money income when measuring "ability to pay" or "need"? What is the unit of analysis in considering the "equity" effect of a proposal? What difference would it make if alternative interpretations applied?

I have also drawn attention to the importance, particularly when assessing the vertical equity implications of a proposal, of making clear the mechanism by which a proposal is to be financed. Misleading conclusions otherwise result.

Finally I have raised the question as to why the two specific proposals of a 15 per cent tax rate and a tapered tax rebate were chosen for scrutiny rather than other tax/transfer proposals which have been the subject of wider public debate.

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Discussant Paper for Session on
Work, Economic Policies and Welfare
Consequences and Responsibilities

Peggy G. Koopman-Boyden
Department of Sociology
University of Canterbury
Christchurch, New Zealand

Papers discussed:

A. Burbidge and F. Maas, "The Need to examine the Unintended Effects of Tax Transfer Proposals"

M. Eichler, "The Familism - Individualism Flip-Flop and its Implications for Economic and Social Welfare Policies"

Policy-makers, analysts and scholars are increasingly aware of the importance and role of integrating tax and income maintenance systems. Such integration has the explicit goals of maintaining equity between families at different income levels and improving the targetting of expenditure on those most in need.

The paper on 'The Need to examine the Unintended Effects of Tax Transfer Proposals' by Andrew Burbidge and Frank Maas surprisingly ignores this international move, including the recommendations in a similar vein by a 1975 Australian Taxation Review Committee. Instead they regard 'wholesale reforms as too difficult to achieve' (p. 3) and concentrate on suggesting only adjustments to the current system.

In juxtaposition to this somewhat conservative approach by the authors, are the findings of the recent cross-national study by Kamerman and Kahn (1982). In considering income transfers, work and the economic well-being of families with children, they observed that Australian policies ranked very low on a scale of generosity, not only towards target families (such as large families, young families with a first baby, and especially towards families of two parents and children with a sole breadwinner, and the non-working single mother) but also towards "contrast" families (such as dual-career families, and childless couples) (see Table 10, Kamerman and Kahn, 1982: 369). It comes as no surprise therefore when Burbidge and Maas note that Australia is currently seeing a 'vigorously contested' debate over these matters, yet the authors are very cautious in the selection of their proposals.

Nevertheless, the Burbidge and Maas paper adds to the debate by drawing out some of the unintended consequences of their proposed options, although their analysis addresses only two options - a 15% standard tax rate, and a tapered tax rebate, and without any integration between them. Do the authors really believe that these are the only two changes appropriate to the Australian situation in the near future, or that the two proposals are the only ones with 'unintended or hidden outcomes'? Both positions are untenable. Given the drastic social and family changes which the authors detail in the introduction to their paper (increased numbers of solo parents; increased numbers of married women in the workforce, including those with dependent children; and the widening gap between high and low income groups in Australia), is it any longer feasible to entertain only options which simply modify the system rather than overhaul it?

I am however reassured by a recent paper by Andrew Burbidge (1983) where other options were also presented, including alterations to labour market policies or to the existing pension and benefit programme, and the introduction of a universal guaranteed income scheme, or a negative income tax scheme. In the same paper (presented at the 1st Australian Family Research Conference in Canberra last November), Burbidge contended that in Australia since the early 1970's government and academic studies of taxation and income security provision 'have been hampered by inadequate information on the distribution of wealth', and suggested that such information would overcome the 'barriers of shortages of revenue and the divergence between nominally progressive but effectively regressive income tax scales' (p. 39). Greater understanding of the exigencies of taxation scales may assist us to improve our social policies, but I would contend that such a technocratic position needs to be questionned by the need to consider the underlying values, assumptions and objectives of policies.

In both papers, the authors are concerned with three objectives of policy, those of equity, efficiency, and simplicity, and while I would not disagree with these as objectives, I would suggest that they cannot be the only objectives of income maintenance and tax policies, either at the implicit or explicit level. Furthermore, in discussing equity, the authors fail to identify the particular inequities which are the concern of the social policies they are discussing: such inequities as those caused by low income and by the presence of dependents. The two are often inter-related and often confused with other factors such as having a single-income or solo-parent status.

Such confusion has recently occurred in New Zealand where we have witnessed the changing of the policy target for tax rebates three times in 5 years. In 1976 the target was seen as being young families, and a rebate of up to $9 per week was granted to the principal income-earning taxpayer in a family with at least one dependent child under 5 years. In 1978 a single-income family rebate was introduced (in addition to the young family rebate) to assist principal income earners and solo parents with a child under 10. In 1981 the rebate was replaced by a low-income family rebate which provided a rebate to principal income-earners and solo parents, and abated on total family income. In more recently focusing on low-income families for tax rebates, New Zealand policy may have finally decided to opt for targetting on inequities caused by both low income and having dependents. Essentially, however, effective policy needs to clearly identify all inequities to which the State can legitimately respond.

Most evaluations of income support policies focus on measuring the impact of policies and assessing their adequacy or efficiency (and the Burbidge/Maas paper is no exception). But the evaluation of income support also needs to be seen within the framework of views, beliefs and goals of society. Without some knowledge of the rationale and values behind a policy it is impossible to evaluate its appropriateness. While this paper looks at the economic implications of the two proposed changes in tax transfers, it ignores any consideration of the underlying assumptions and subsequent social implications. Should we, for instance, continue to support policies where:

- tax relief for the principal income earner is considered as the only appropriate way to support families;
- support for the unemployed is income maintenance, rather than compensation for loss of earnings,

- the community does not need to fully compensate parents for the economic costs of having children,
- superannuitants are entitled to support by the community as of right.

Some of these values are explicit in policies (the last one for example). In evaluating the objectives and implications of current and future policies, is it not time to also seriously question their underlying values and the implications of these? Burbidge and Maas touch on the idea that their options may increase the dependency on the State of low income earners, and the dependency of mothers on men, but they do not seriously challenge the continuing appropriateness of these values.

I would argue then that the paper needs to set out more clearly a set of objectives for the policies it proposes, along with the underlying values on which they are based or are likely to inculcate.

In suggesting that the paper might have also included a clearer statement as to the target of its proposed policies, I turn to the paper on 'The Familism - Individualism Flip-Flop and its Implications for Economic and Social Welfare Policies'. In her paper Margrit Eichler comments on one of the most important dilemmas in social policy formulation - the focus of policy, is it to be the family or the individual? In the first half of her paper, Eichler outlines the two most important characteristics of families in highly industrialised countries as being the discrepancy between household and family membership and the existence of one-earner and two-earner families. She then considers the consequences of such diversity in family structure for economic and social welfare policies, suggesting that where these policies have been formulated with a patriarchal or equalitarian family model there are problems, in that they both treat the family and household as congruent entities, with the family being seen as the administrative unit, and with the family assigned a support function (p. 40).

An emancipated model of the family is suggested as a possible alternative framework for policy formulation, where the focus of policy is the individual, and every adult is 'considered responsible for his or her own economic well-being' (p. 25). If this is not possible, or the person needs care, 'the support obligation would shift to the state, not to a family member'. The cost of raising a child would however be shared by the child's parents and the state.

I would argue that Eichler's careful description of the complexity and incongruities of relationships within families and households is belied by her individualistic solution to the social policy problem of how to cope with such diversity. While the analysis in the first half of the paper leads to the conclusion of the infinite variety and complexity of household and family unit, along with the importance of its recognition in policy, the advantages of a policy focus on the individual are not clearly delineated. Indeed such a solution could be seen as a denial of the complexities.

Eichler's thesis is that rather than have a familial-individualism flip-flop in social policy, the smallest administrative unit of social policy should be the individual (not the family), and that the State be expected to support those who can't support or care for themselves (and not the family, except for partial responsibility in childcare).

With respect to the proposed individualistic focus of policy, I seem to remember a similar argument years ago in sociological method - the argument about the advantages of objectively identifying subjects, and of the importance of objective measurement, never mind what was going on around them, what their thoughts or feelings were, what was the social context, or what relationships or interdependencies they had with other people.

The same type of argument seems to be used by people who see the individual as the basis of all policy. But the social context of people, their living arrangements, their dependencies can't be ignored. While it might be administratively easier to legislate for individuals, the fact is that most people, most of the time live and work in relationships with others, and the most important social context in today's world is still the family (and work).

In relation to the suggestion that the state be expected to undertake the support function, rather than the family, I would argue that the basis of society is that people do have a responsibility to care for others, and when we get to the stage of people not recognising or undertaking that responsibility, then the whole fabric of the society is brought into question. Furthermore, legislation both for social policy for individuals, and for State support, would not only make the State extraordinarily powerful, but also remove any basis for group cohesion and solidarity. While social policy in capitalist societies has been seen to placate any revolutionary potential, the possibility of basing all policy on individuals, with monolithic State support must be seen as the ultimate form of social control.

I do not therefore think the answer to the problem of administrative flip-flopping in social policy is to make policy for individuals, with the caring function undertaken by the State. What might be a coherent and easy solution from an administrator's perspective does not necessarily solve the differing familism/individualism perspective that some have. Nor, I might just as openly point out, does the focusing on the family per se solve the administrative problem. I would not want to defend that possibility either.

Instead, I would argue, and did so in my 'free' paper yesterday that we need to find some intermediate unit which is capable of encapsulating elements of both units (the family and the individual), where we aim for the independence of individuals, but acknowledge the dependencies and interdependencies among them. I would argue that the focus be on the unit of dependency.

The starting point for my rationale would be the same as Eichler's, that everyone should aim to be independent, but that where this is not possible, the family takes initial responsibility for the dependents, with State assistance primarily to ensure the economic independence of the relationship. Social policies would thus be clearly targetted to the unit of dependency. Margrit Eichler suggests that the care of dependents should be a societal responsibility rather than a private one. In forging closer links between labour market/income policies and income transfer programmes we move closer to that ideal.

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Intergenerational exchange, aging trends and the public/private support dimensions

Discussant Paper on the Papers of Altergott, Kendig, and d'Abbs (With some Personal Random Thoughts on the Care System for the Elderly in Japan)

Hiroko Nishimura

Introduction

Aging population is more or less a worldwide phenomenon, particularly in developed countries. This has resulted from declining rates of fertility, mortality and morbidity, as well as increased longevity. Although significant differentials of aging speed and magnitude still persist among different countries, regions and social classes, in general, people live far longer than ever before. This transformation generates various kinds of problems in society, one of which has often been pessimistically discussed, namely the increased dependency burden. While this analysis may be relevant for other developed countries, Japan for example, is one of the countries which has made drastic social changes and experienced aging at a faster rate in a shorter period of time than most other countries; and it is expected to become an even more aged country by the early part of the next century. The subsequent effects and difficulties thereof are forcing the Japanese to face a great and urgent social challenge.

Given the aging society, there are two major questions which are especially important in Japan: 1) how can the elderly maintain and enjoy a healthy, worthwhile and more self-reliant life in their longevity? and 2) how should we go about fulfilling the needs of the elderly, not only through the family, but through the support of the society as a whole? The former is very important because almost all of the elderly are still healthy after retirement and they desire to have an adequate place and role in society. The latter must also be urgently dealt with, since the needs of the elderly under rapidly changing social, economic and demographic circumstances as well as changing family patterns, are growing. Each of these questions regarded as equally important, but at this session, the latter is to be focused upon.

I was assigned three key papers to discuss: one is that of Dr. Allgott from the U.S.A., and the other two are those of Dr. Kendig and Dr. d'Abb from Australia. Each of them seems to me to reflect the respective national background of its author and, on the whole I believe that they all contribute greatly to the themes of this session.

After some comments on these three presentations, I would like to investigate and discuss for a while the social and family support systems for the elderly in Japan.

Comments on Dr. Altergott's Paper

Dr. Altergott's study is primarily an exploratory one which is based on a lot of relevant literature and research data. She considers adequately the significance of demographic changes and their consequences in aging societies, where role transformations and new patterns of challenges and tasks are needed. Her major concern is focused on the relationship between family development and family care, and then the relationship between family care and social policy. Family care is categorized into three dimensions, i.e. marital interdependence (spouse care), alone and interdependence (self-care), and generational interdependence (parent care), with family development. Each of these types of care has its own context and features in itself, and its own commitment with social policy of public sectors, these public sectors recently tending to withdraw themselves due to economic and political turmoil. In any case, in all societies, the increase in need for expanded care systems exceeds the public response. Whether self-care and family care is supported by policy development or not depends on the sense of collective interdependence.

Dr. Altergott's report is very analytical and suggestive, and I agree basically with her proposals, but I nevertheless would like to pose a few questions:

1.) The three dimensions of family care may be theoretically simple and clear, but in reality things are much more complex and entangled. How does Dr. Altergott suggest we take care of those who are in particularly serious need?

2.) There are many blended families in the United States: in such cases, what becomes of generational care, which seems to have difficulty funtioning adequately in the first place?

3.) I would like to have seen a more substantial explaination of social policy itself and the relationship between social policy and care systems.

Regarding the implications of policy and family care, Dr. Altergott suggests as follows: policy must respond to, not exploit, the family as a limited resource. Therefore, assessment of the outcome of present and future policies on the family and the aged leads to developing adequate care systems. If societies fail to test each of these basic premises and promises, to mobilize the resources necessary to meet the varied needs of their old people and of their families, then many of them will find themselves in a darker and more marginal position in society. Therefore, societies should see to it that, through their collected power, they can meet the challenge of creating an interdependent caring community.

In my opinion, to stress too much the importance of the family will result in negligence of elderly care-receivers who find themselves in particular familial circumstances, e.g. divorcees, abandoned persons, etc. In addition, various problems and changes in the family patterns (i.e. divorce, disability, etc.) of the caretakers often arise, thus creating difficulties which interfere with their ability to look after their elderly charges. Therefore, I find it necessary to develop strategies for the care of such elderly based on their individual circumstances; these circumstances including the familial circumstances of the caretakers as well.

I feel that Dr. Altergott's analysis may have overlooked some of these seemingly minor details.

Comments on Dr. Kendig's Paper

Dr. Kendig's report is related to social support of the aged in Australia and is primarily based on the field study of a metropolitan area (Sydney) and other data. He stresses also that sound empirical research can play a significant part in the development of better policy and theory.

He approaches the problems of the aged in terms of 'individual, family and government responsibility.' According to him, in Australia: 1) economic self-sufficiency and increasing affluence enable the aged individual to remain self-reliant and substantially independent through the employment of paid help, commercial services, etc.; 2) spouse support adequately functions among most of the aged. However, disability, widowhood, and family dissolution lead to role transformation and redistribution of responsibility within the household and among out-of-household relatives; 3) primary motivations for adult children to care for their aged parents nowadays are a sense of filial and normative responsibility and/or a lack of any more desirable arrangements; 4) the gender bias (inequality) in parent care is lessening slightly, but it still remains sizable: daughters still predominate, although this is also often more or less related to social class and ethnicity; 5) the demographic profiles and social trends suggest a slight reduction of family members available to support the growing number of disabled aged, particularly widows; and 6) to adapt to these changes, the role of government and public sectors will become more and more important in order to encourage family support and/or self-reliance of the aged. Dr. Kendig concludes as follows: to gain an understanding of the institutional arrangements needed for making intergenerational transfers, comprehensive research strategies are required. Merely reviewing the post-war experience of older Australians does not reveal any of the abandonment posited by the modernity theory. But there will be different options for the future. Although the family is still primarily responsible for the care of the aged, serious inequities will emerge among individuals, classes and cohorts. The burdens of these inequities will fall most on women in midlife and old age.

I find that, in his very informative and comprehensive study, Dr. Kendig demonstrates effectively that a better understanding of the needs of the aged and their families is necessary as well as are a joint approach to social policy, an acknowledgment of good practice. Also, he shows that complex negotiation and contest within families as well as government will be necessary to resolve many of the more serious problems about support for the aged.

On the whole, I agree with Dr. Kendig's suggestions, but I would like to have seen him refer more to the significance of the role of community care in addition to family care and government responsibility.

Comments on Dr. d'Abbs' Paper

Dr. d'Abbs' paper is mainly concerned with the relationship between informal family support and community care. According to his definition, family support is resources available to individuals in families to enable them to meet their personal and collective needs, while community care is one among several models of service provision which has local autonomy and community representation. Both of these are interrelated or overlap in service provision.

Based on the findings of various studies, Dr. d'Abbs summarizes the nature and availability of informal support to members of families in four propositions: 1.) daily needs are met through reciprocal exchanges among informal support networks; 2.) the presence and nature of informal support networks encourages people's ability to cope with crises; 3.) under certain circumstances. informal support networks may not be available to meet either low-level, everyday needs or crises; 4.) needs that involve sustained, intensive care are not likely to be met only by primary (usually female) kin.

The issue of family support becomes relevant to social policy whenever the needs of one or more family members cannot be met satisfactorily eihter through the normal household division of labor, or through reciprocal exchanges within informal networks, or by purchase.

Dr. d'Abbs' report is very informative as a whole and his four propositions are interesting, especially the third one. However I think the distinction and relationship between family network, community care, and social policy are blurred. If they were more clearly defined and corelated, his proposal might be more persuasive.

Also, I feel that his view of 'community' is too narrow; he mentions only help from neighbors or the local community without taking into consideration other more complex elements (i.e. friendship circles, differences in regionality, distance from kin, etc.) of the community. I feel that consideration of such details is also necessary for an overall view of the situation of the elderly, this overall view being necessary for the development of effective policy-making.

The Social Support System in Japan

Social support may mean the adjustment between social needs and social resources. What are the needs of the elderly and the resources for meeting them? The frame of reference is as follows: first, the needs of elderly people consist of three main facets, e.g. financial support, personal care for house chores and nursing care, and social contact and emotional support, among which financial support is regarded as being weighty in Japan due to inadequate government-sponsored pension programs; second, social resources encompass family resources and community resources as mentioned in key papers. Family resources include out-of-household kin and relatives as well as family members in the household. Community resources encompass state and local authority-instituted as well as administration initiative voluntary sectors (both formal resources), and the true voluntary sectors supported by community residents. Family resources are one of the primary bases for intergenerational support in Japan. Co-residency or non-co-residency is a significant factor in deciding how the aged are to be supported. Co-residency with younger offspring is the primary and most widespread base of support, especially for very old parents and elderly, widowed mothers.

A very simple and fairly static picture of resource characteristics of the family and community at present in Japan can be obtained from the following table:

A. Family composition & resources, family support networks.

Residency status	Household Composition	Caregivers	
		Primary	Sub(potential)
Non Co-residency	1. single elderly person	- - -	offspring, sibling, other relative
	2. elderly couple	spouse	offspring, sibling, other relative
Co-residency	3. two generation (parent headed)	spouse, unmarried adult offspring	offspring, sibling, other relative
	4. three general (parent headed / heir headed)	spouse, heir and his family	offspring, sibling, other relative
	5. other forms of co-residency	adult son or daughter w/ children, sibling, grandchild, nephew, niece, etc.	offspring, sibling, other relative

Let me add some more comments on this frame: 1) siblings and other relatives include both sides of a couple; 2) 'parent-headed' is more common in earlier old age when the spouse is still alive and the elderly can still help younger family members, while 'hier-headed' is more common in later old age with or without, particularly the male, spouse; 3) modern-day co-residency is not always the same as it was in the traditional stem family or the patriarchal lineal family system, though traditional norms, bonds, and feelings still have strong influence. Co-residency has become more convenience-oriented or a more reciprocal arrangement, especially in urban areas. It is no longer only the oldest son and his family which lives with the elderly parents, but any son or even a daughter, regardless of parity and depending on the needs of all concerned. Co-residency with a daughter has also steadily increased, mainly out of a desire to avoid tension or conflict with the son's family members, especially between the daughter-in-law and the son's elderly, frail parents; 4) living alone is more common with females than with males, mainly due to the female's longer longevity. A 1972 survey found that just 8.1% of the elderly in private households lived alone, and the 1982 figure is only 10.8%. The vast majority (ca. 80%) of those aged 65 or over who lived alone in 1982 were females either single or widowed. Thus the most important sources of family support (spouses and children) do not exist for many elderly people, especially for elderly females; 5) transferring the position of family head to an heir means less authority and more dependency for the aged family head; 6) in increasing age with fragility, disability, ill-health, and senility, the elderly are inclined to co-reside with their offspring's family. Although co-residency is not without its problems, it is a more easily adapted-to arrangement for intergenerational support and help. Some recurrent variations of co-residency stem from the years of non-co-residency: returning to the parent's home of offspring or the moving in of the parents in later years into the offspring's home has increased. In general, non-co-residency, or 'intimacy at a distance,' is not always, except for a part of the upper class, adaptable or functional for intergenerational support, especially for the very old aged living alone.

Community resources offer multifarious forms of services. In Japan, learning from Euro-American models, people have introduced many tested forms of services and policy making ideas into Japan. These have been in turn modified and the models have been further developed into unique service systems, particularly in informal areas.

B. Community resources for support and care.

- Formal
  - Government administered (e.g. financial aid, home helper, telephone service, bathing, meal service.)
  - Government sponsored (e.g. the aged association and its facilities for the aged, fraternity teams or councilors by the aged for the aged, district welfare commissioners

(B. Community resources, cont'd.)

Informal
- Out-of-household kinship and relatives
- Personal: nieghbors, friends, volunteers, etc.
- Voluntary associations:
  1. paid help organizations (e.g. lady-help association)
  2. non-paid help organizations (e.g. women's section of the 'Chonai-kai' neighborhood organizations

1.) Government administered services are bureaucratic, formalistic, and have only insufficient functional efficiency. 2.) Care services by the aged for the aged are both preferable and popular among the aged. 3.) Care services by out-of-household kinship overlap with those of the above-mentioned family resources in the case of intra-community services. 4.) Chonai-kai is a traditional neighborhood organization in Japan which still function(s) more or less as a mutual support system or as a mutual friendship association in both urban and rural areas. Inexpensive nursing services have recently appeared as a care system for those who can afford them.

The needs of the aged and the resources for fulfilling them vary with gender, age, physical condition, kinship network, family composition, social class, locality, etc. My purpose here is to explain how the resources are used to adequately meet the needs of the aged, but to my regret, I don't have relevant evidence available for Japan, so I can only refer to some related statistics and to our everyday life experiences.

I will present here three tables of statistics: one shows household composition of the aged (Table 1) and the other two concern the bedridden aged.

Table 1: Household composition of the aged (65 yrs. and over) Japan, 1982

Type of household	Total	Urban areas	Rural areas
Living alone	10.8%	15.5%	9.0%

(Type of household)	(Total)	(Urban areas)	(Rural areas)
Couple	17.1%	23.8%	13.6%
Two generation household	10.1	15.6	7.2
Three generation household	48.9	33.4	55.9
Co-residency with other relatives	13.1	11.7	14.3
Totals	100.0%	100.0%	100.0%

Source: Report of Basic Survey on Health and Welfare Adminitration, Ministry of Health and Welfare.

It is well known that Japan has a high rate of three generation family households as shown in table 1. Three generation family households still occupy almost half of the private households, the rate of which is much higher in rural areas than in the large cities. The rate of those living alone or in couples also cannot be ignored, since it reaches almost 40% in the large cities. Co-residency with other relatives should also not be ignored, due to the increase of divorced, separated, and unmarried sons and daughters with children. In any case, family composition of the aged has changed drastically in the recent past and will continue to do so into the foreseeable future; such change may be unfavorable for the aged.

Tables 2 and 3 show the main care-givers of the bedridden aged and the preferences of the aged in their choice of who they would like to have as care-taker, respectively. The urgent needs of the aged are naturally focused on nursing care. According to table 2, sons or daughters-in-law show the highest rate as care-givers, the next highest rate is seen to be that of the spouse, and third, of other children. The rate of other relatives or others is very low, but shouldn't be overlooked because of the possibility of its increase in the future.

By gender, we can recognize a remarkable difference between males and females; for males, the spouse is the majority care-giver with very few sons and/or daughters-in-law taking this role, while for elderly females, sons and/or daughters-in-law occupy the majority ranking with the spouse coming in second as care-giver.

Table 2: Main care-givers of the bedridden aged

Care-giver	total	male	female
spouse	31.7%	63.3%	28.5%
children	21.3	26.4	20.4
son or daughter-in-law	39.0	4.1	62.5
other relatives	3.6	1.9	3.8
others	4.4	4.3	4.8
totals	100.0%	100.0%	100.0%

Source: Office of the Prime Minister, 1982.

Table 3: Care-givers the bedridden aged prefer

gender	spouse	daughter	daughter-in-law	other children	others	N.A.	total
male	68.8%	4.9%	10.6%	6.1%	4.7%	4.9%	100.0%
female	10.8	16.7	41.4	10.1	11.1	9.9	100.0

Source: Office of the Prime Minister, 1982.

Looking at table3,here too, we can find striking differences between males and females as in table 2. Both tables show similar trends in that the male largely prefers his spouse as care-giver and the female generally prefers her daughter-in-law as care-giver; also we can see that the female prefers not to have her spouse but rather one of her children, particularly her daughter, as care-giver. In addition, it is noteworthy that the female shows a relatively high rate of preference for care-givers other than her spouse or children, including government administered care-givers.

We can summarise that for the aged, co-residency in three generation households is still predominant and it is characteristic of the family support system; the role of the spouse and daughter-in-law is very important in taking care of such serious needs as nursing care of the bedridden aged. On the other hand, we know empirically that in less serious cases, i.e. ordinary cases where there is a need for personal care and/or emotional support, both non-co-resident relatives and neighbors, friends, or volunteers give frequent care to the aged.

Social support systems for the aged seem to be considerably satisfactory in Japan, thus people tend to think that the aged there have few problems and that they are happy and well off, but in reality this is not always so. Tensions and conflict often arise between the aged and their offspring and daughters-in-law. In remote rural areas, the living-alone aged are increasing due to an urban exodus of the young, and they are solitary and unhappy. Besides this, social and mental pathological phenomena such as crime, suicide, mental disorders, etc., are on the rise. The main crimes committed against the elderly are murder and assault. For instance, there have been examples of the bedfast elderly person being murdered by his/her spouse due to nursing fatigue; or an alcoholic son is murdered by his aged parent. Other examples are murder or injury resultant of succession quarrels which often take place between the elderly and their relatives. Crimes of this nature have remarkably increased in recent years. It is also well known that Japan's suicide rate among the aged is exceedingly high, second in the world only to Hungary. The main causes are said to be the pain of sickness, mental disorder, family conflicts, and solitude. Mental disorders (senility) among the aged seem to occur more often now due to less social participation, less communication with others, increased solitude, tension, etc.

Even though almost all of the aged may be healthy and self-reliant, the increasing occurrence of these phenomena shouldn't be neglected. Some of the causes may be intrinsic in the nature of growing old, but most of them seem to result from a malfunctioning of the above-mentioned social support systems in Japan. What is the reason for the social support systems not functioning adequately? This is an urgent problem we have to tackle quickly.

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Families' Obligations and Abilities in Providing for the Aged

László Cseh-Szombathy
Institute of Sociology of the Hungarian
Academy of Sciences, Budapest
Hungary

Discussant Paper Prepared for the XXth International
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Introduction: Demographic ageing of the populations and the challange it means towards the family.

When the topic of the XXth International Seminar was decided to be Social Change and Family Policy some of the themes to be discussed were immediately self-evident. It was among others obvious that it had to be discussed how could the family cope under changing conditions with one of its traditional obligations, i.e. with the provision for its aged members. A session has been assigned to debate the problem and three key papers were presented as starting points for the discussion.

The concept of social change can be defined in several ways. One might put the emphasis on the structural changes due to technical inventions and economic growth; it is also admissible to start from major political events and their social consequences; an approach from the cultural aspect might be also rewarding. All these have bearing on the situation of the aged in the present, but nevertheless in their case the quantitative changes due to the demographic development are of crucial importance. In the developed countries of the world the population trends of the XXth century - decreasing fertility and declining mortality - has more than doubled the size of the aged population and even stronger increased the proportion of those who needed others help to manage their daily life.

Dr. Altergott in her paper rightly started by mentioning these demographic changes and had drawn attention to some of its most important social consequences. I would like to add only one additional remark to those told by her, and that is the mentioning of the increasing proportion of the national income used for the provision of the already inactive aged. In my country, in Hungary in 1982, at the time of the World Congress of Ageing a calculation was carried out taking into account all transfers, including the cost of the free or subsidized services used by the aged and that gave 10.3 percent of the national income. No social security system in any country was planned on the assumption that the costs of the provision for the aged would rise so high and in Europe, where the ageing process is most advanced, more and more administrations find that their means are inadequate to cope with the constantly increasing demands. Dr. Altergott is right when analyzing the recent withdrawal of the public sector from the care of the elderly refers to political and economic crises, but one should not overlook the demographic causes of the present problems when the aged cannot reckon with increased help or even with the maintenance of earlier standards even in societies with highly developed welfare programs. The rapid ageing process of the populations is certainly not an independent factor of social change, but because of its automatism it has to be handled in the short run as a major determinant in respect to the problems we discuss.

The role of the family and of the social welfare systems in the provision for the aged.

The three key papers focus their attentions on the description of the help the families provide for their handicapped elderly members and on the analysis of the assistance the families receive from outside in carrying out their tasks. The papers complete each other by emphasizing different aspects of the central problem.

Dr. Kendig starts his paper by refuting the myths of the "good old days" in respect to the position and care of the elderly in their families. The findings referred to by Dr. Kendig emanate from studies in Western societies, but the same conclusions can be drawn from Hungarian, i.e. East European descriptions as well. Especially the life of the aged landless agrarian workers was defenceless in their family, and they made up the most populous social strata. On behalf of their grown-up children not much care and respect was given to them, which was mainly connected to the fact that the whole family was constantly living in privation. In the past the low level of consumption and the insecurity of satisfying the daily needs decided the conditions of the majority of the aged.

Analyzing the present situation Dr. Kendig discusses in detail the income sources of the aged. This is a very important point as it is crucial in respect to the family relations of the aged how much they depend from their family, whether the family must cover the expenses of the aged totally, partly or not at all. In Australia all the aged dispose of a social security benefit, but besides the majority has additional assets as well and the trend is toward greater potential for economic self sufficiency. Comparing the present situation with earlier ones one can say that the present cohorts of the elderly are better off than the former ones. In Australia the great majority of the aged - if not physically handicapped is in no need of family support.

This final conclusion is valid in most of the European countries too, although there are great differences in the level of the average real income of the aged. In most countries the basic pension systems play a major role than in Australia and at present the rapidly increasing expenditures of those systems causes grave problems. This is mainly due to the demographic process already mentioned, but during the last years inflation was also an important factor. In some of the countries the preservation of the real value of the pensions could not be achieved, like in Hungary, which meant that the elderly retired long ago faced a diminution of their income and were compelled to fall back upon the help of their grown up children.

In Australia the major cause of dependency on the family is disablement. According to the surveys only 15 per cent of the aged are substantially disabled and a third needs substantial amount of care until death for a longer period. But for shorter periods help is repeatedly needed and the sense of security of the aged is influenced by the fact that they have constantly to face the risk of disability, and risk is increasing with higher life expectancy.

In case of need who provides the care - this is one of the central questions of all the three papers. Dr. Kendig stress first of all the importances of the spouses. His statement is supported by European investigations as well: as long as the marital bond prevails the spouse is the most frequent care-taker of the disabled, even in those cases when this means that the husband has to look after his handicapped wife. Dr. Altergott demonstrates the phenomenon on American data. According to her conclusion the spouse is the center of the care system and this is true for the childress as well as for the parental couples. In respect to the total disabled elderly population this means that it is of fundamental importance which proportion of them is still married when daily care is needed. Recent changes in mortality - increasing male mortality and stagnating or still improving female mortality - the steadily increasing divorce rate, coupled with declining remarriage rate might cause a drop in the proportion of the married handicapped aged, i.e. in the future one might count less on spousal care.

Dr. Kendig states that over 80 per cent of older Australians have living children. The same proportion is given by Dr. Altergott in respect to the Americans and surprisingly just that proportion is valid for Hungary too. This reflects similar fertility levels

40-60 years ago, and similar child and middle-aged mortality. In the future the similarities might prevail despite the differences in fertility 20-30 years ago, because in the countries with low fertility the proportions of childless couples did not increase or even decreased, and due to the low mortality the probability of the survival of the only child became very high.

With the declining number of children old parents must rely more and more on the only available one. Nevertheless in practice this will not bring about major change in the familial care pattern as even today the burden of the filial care falls on one of the children: there is not much sharing of that task. This is very well documented by Dr. Kendig, who speaks of the inequalities emanating from that fact. Especially never married children shoulder a disproportionate share of this support. Dr. Altergott is more specific when she discusses that problem: she indicates the special role of the unmarried daughters in the care of the disabled elderly.

While do grown up children accept the task of caring for their handicapped parents, even in those cases when institutionalized help would be available? This phenomenon is also obsevable in the European countries as well. Dr. Kendig speaks of a normative basis behind that behaviour, he finds the explanation in a sense of filial responsibility. Dr. Altergott's interpretation is similar: she quotes findings according to which filial care is provided out of a strong sense of obligation and affection. The same explanation can be given in the European countries as well, where grown-up children can on the average even less expect reciprocation from the old parent for the services provided.

At present welfare organisations step in the care of the aged when the family, i.e. spouse or child, cannot cope with the task of care. Sometimes at the planning of the capacity of the care-services the starting point is the number and proportion of the lonely aged: those living with spouse or grown-up children are implicitly considered as provided by home-care. But this way of thinking has to be challenged in the interest of the aged and their families as well. Dr. Kendig and Dr. Altergott reaffirm the well known fact that the care given by the family is very often inadequate, falling behind the standards of professional care. At the same time the sevices put an intolerable stress on the family, even when they are irregularly provided, but their unpredictable nature causes constant tensions, as Dr. d'Abbs aptly remarks. As a result of this situation the disabled elderly can with good reason complain because of the inadequacy of the care and because of the ambiguous emotional content of the contacts with the care-giver, while that person is also right when feeling his task as an unappreciated chore. In that state the positive emotional exchanges will be lost, those which are the most difficult to supply from outside the family.

As a conclusion I would like to say that it is essential for the aged, for their family and for their interrelationship that the services of the social welfare systems should be reenforced, developed especial the home-care services, which should be available for those too who are living in a family setting. The extension of these services would certainly add to the burdens of the social welfare funds, but in my opinion the development of the services in kind ought have a preference over the cash allotments. It seems reasonable to organize this services on communal basis and communal help defined so clearly by Dr.d'Abbs might have a very important role in the care of the elderly and at the same time strengthening some fundamental functions of the family.

The dimensions of intergenerational exchange between the aged and their families

The three papers presented are in agreement with one another in stressing the care given by the younger generation to the old when discussing the intergenerational exchanges between the aged and their families. There is no doubt that this is the most important and - for the time being - the less replaceable service that the family gives to the needy elderly members of society, nevertheless for the majority of the aged other dimensions of the intergenerational exchange have greater importance, because of the longer period during which they function.

I have already mentioned the emotional significance of the family for the aged. I mean that their feelings, their security, their self-image depends very much on the signals received from members of their family. As retirement and death reduce step by step the number of significant relations outside the family the remaining links get added importance. Any type of contact might cause positive feelings as it can be interpreted as sign of devotion, and might give assurance for standby in case of any urgency. On the other hand the staying away of awaited relatives, cancellation of their visits, futile waiting on their phone call might cause depression. The greatest tensions are caused by problematic family relations, while tensions originating from external events can be best overcome by their management combined with sympathy. Family interaction might compensate the aged for the losses due to the reduction of their life-space, but it can also make life unbearable for them, and in such cases their is not much possibility to disregard the injuries and find compensation elsewhere, outside of the family.

Family interaction serves also as an important factor in the information system of the aged. When they have some difficulty in their need-satisfaction, be it connected with daily consumption or with the care from an illness manifesting itself recently or any other, advice on where to turn, what to do is primarily sought from the family members. They are considered as links to society; their constant contact with other active people and with many institutions are considered by the inactive aged as a guarantee for familiarity with all kinds of useful knowledge. Even in the understanding and interpretation of informations transmitted by the mass media the opinion of grown-up children or other significant relatives have a role: some events become important only if they have an influence on the life of one's family.

A third dimension of intergeneration exchange is the field of activity which it provides for the aged. Until illness, invalidity does not disable the aging person to carry out some kind of activity beneficial for others too most of the elderly are eager to do something of this kind. It is mainly connected with their self-esteem, but the automatic drive of a routine practiced during many decades must not be fogotten either. In the developed countries there is not much possibility for the aged to participate any more in the production of goods or in the services for the benefit of the society, therefore the possibilities for any kind of such activities in the family get an increased importance.

The possibility for help towards one's descendents is mostly given when the elderly live under the same roof with their grown-up children. According to the data presented by Dr. Kendig only 12 percent of the older Australians live with a child and that proportion is not much higher in the Western European countries either. In Eastern Europe on the contrary the cohabitation is more frequent, e.g. in Hungary about a third of the aged live with one of their grown-up children. This high proportion is due to survival of traditions among the rural population, to the dwelling shortage in urban areas, but also to a lower income level which compels the two generations to unite their meagre resources.

When living together with the grown-up children the elderly have a wide-range of possibilities to do service for the family. Housekeeping and grandparanting are the most important of them, but the carrying out of some minor tasks, as doing some part of the shopping, or accompanying small grandchildren to and fro to a kindergarten or to school, might satisfy the activity needs of the elderly. Such smaller services can be done by the old parents even if they live separately, but not to far from their children, but even aged parents living in other towns, villages might give a hand in case of need, which contributes to their self-esteem.

Due to the demographic changes an increasing proportion of the "younger" aged, those in their sixties do services for their very old parents. This phenomenon is mentioned by Dr. Kendig and Dr. Altergott as well. The care of the disabled parent is probably the most useful task that the healthy aged can fulfill, but a very heavy one, and it's quite frequent that after a long period of constant service the former care-giver will be in need of similar help because of invalidity developed by overstrain.

The use of the "role" concept in the study of the family relations of the aged

When we speak about the activity needs of the elderly it is rather difficult not to use the concept of "role" and not to describe the problems as emanating from the loss of roles carried out during the active life stage and not replaced by new roles. This means that in describing and analyzing some aspects of the elderlies' life the role concept is a very useful one. But I have some doubts whether it is the most appropriate in explaining the family interaction of the aged in general.

My doubts were stirred up by Dr. Altergott paper in which she used the role concept consequently. She applies that construct not only in the analysis of the individual behaviour but also in describing the place of the elderly in the social structure. According to her the demographic changes, the increase in the proportion of the aged "stretch the existing role structure". "New roles are required". The new roles can be created first of all by the families, they have to negotiate new role bargains that are more or less workable. Referring to Boulding she concludes that "The families of older people are, like families in a boom town familia faber, making community for themselves, making roles, making do, making the future." But the creation of new roles is the task of the concerned individuals as well, old people "...must be involved in rolemaking, since never before have spent so long in this stage of life".

In my interpretation ageing brings about a decrease of expectations regarding one's activities and behaviours effecting the life of others. Society does not count any more on one's contribution to the production of national income; with the fast process of innovation the knowledge and experience of the aged are becoming valueless, and their advice is not sought; where child-care services of the social welfare systems are well developed parents prefer them to the old fashioned help of the aged relatives, etc. I would say that step by step all the former obligations cease for the aging individual and the historical development makes traditional obligations obsolate. I don't believe that there is much possibility to invent new social tasks for the aged, to impose new obligations on them, which would have a sense for societies dominated by achievement orientation. Such societies expect from the aged to make ends meet with the redistributed share of national income allocated to them, to preserve their health and capabilities and to care for themselves without external help, as long as possible. In my interpretation neither of this expectations can be conceptualized as a role of the aged, and therefore I don't think that there is any possibility to create meaningful new roles for them. But that does not mean that they could not have any function for others, for their family and for society as a whole, and I see more interest to investigate the position of the aged in society starting from their functions.

In my interpretation "function" has similar meaning to the concept of "effect". The function of the aged is how they influence the social processes, the family developments and the life of different younger generations. In certain cases this function might be the result of active, aim oriented behaviour of the aged, but influence can be achieved by goalless interactions or passive, help-requesting state as well. In the case of the aged the latter have a great importance at all levels, and it is an important contribution to the better knowledge of society if we succeed in mapping these interdependences and their consequences.

Such an approach could mean in the case of the family the investigation of many dimensions of family life asking the question what differences does the contact with the aged parent, grandparent make. So we might study the socialization of children by trying to find out what impact the grandparents have on it, or to investigate the marital relations and see how their development was influenced by interventions of the old parents, or obligations toward them. In that way we might come to a more complex picture of the place of the elderly in the family structure of today as if we put the emphasis on meditations how families might invent new roles for their members. This approach can widen the range of the intergenerational exchanges to be observed as well and help us in reconsidering the public/private support dimensions.

FRIDAY, 24 AUGUST 1984

Legal regulation of the family and the effect of changes in family

XXTH INTERNATIONAL CFR SEMINAR ON SOCIAL CHANGE AND FAMILY POLICIES
(MELBOURNE, AUSTRALIA 19-24 AUGUST 1984)

LEGAL REGULATION OF THE FAMILY AND THE EFFECT OF CHANGES IN FAMILY LAW

A DISCUSSION ON PAPERS PRESENTED BY M. JACQUES COMMAILLE, MS MARGARET HARRISON, & PROFESSOR JOHN EEKALAAR

BY MR JUSTICE FOGARTY (FAMILY COURT OF AUSTRALIA)

I wish to take as my fundamental point of reference in my discussion on these papers the following quotation from the paper by Commaille. See page 3.

> " A study of the evolution of legislation, compared with the divorce rate, in fifteen European countries, indicated that recognition of the breakdown of the couple was now the main legal cause of divorce (Le divorce en Europe occidentale, 1983). Nearly all the countries concerned had modified their divorce legislation. In 1960 fault was the normal cause of divorce, whereas in 1981, this "normality" had reverted to the "breakdown/common consent" dyad.
>
> The above-mentioned change fits in logically with the tendencies already analysed at an international level (RHEINSTEIN, 1972; ANCEL, 1975; GLENDON, 1977).
>
> These juridical transformations bear witness to a change in the social status of divorce. They are also proof of a modification in State Strategy in the matter. It is non longer a question of dissuading couples from divorcing but of recording (almost of verifying) their wish to divorce.
>
> The cancelling of State control over the decision to divorce nevertheless goes with a reinforcement of the State's interest in and of its control over the effects of divorce: "the objective of the legislative policy sets its point of intervention after and not before the breakdown" (PERRIN, 1983)."

The history of divorce law in England and Australia as analysed by Harrison is to the same effect and is implicit also in the paper by Eekelaar.

I accept that this may be so but to me it raises at least three points worthy of discussion:

(a) That society through the law and any other means reasonably available to it should not abandon its right of intervention in the family prior to the breakdown of the marriage.

(b) That it is no solution to present difficulties confronting Family Law and its regulation in society to return to questions of fault.

(c) The failure by society both through the law and through social welfare to properly protect the financial interests of many divorced spouses and their children.

As to (a), as the quotation by Commaille points out the legislature now sets its point of intervention "after and not before the breakdown" of the marriage. It increasingly withdraws its impact from the circumstances leading up to any such breakdown, leaving it largely although not entirely in the hands of the parties themselves and any other private assistance which they can muster to compete with and provide solutions.

The fact however is that many couples who find themselves in a position of marital stress are ill-equipped to provide satisfactory and long-term solutions to those problems. In addition in a society which exerts increasingly less pressure upon married couples to maintain the unity of their marriage there is less incentive in many couples to go to the trouble and difficulty of finding those solutions.

I accept that society cannot or should not by legislation or obvious social pressure compel the continuance of a marriage where that has become unacceptable to the parties to it. I accept that the concept of parties living together for the sake of appearances and for the children but in circumstances of bitterness and pressure it is no solution at all.

However I feel that there is some middle ground between the two extremes of (a) the laissez-faire attitude that marriage is a contract between two private individuals with the additional and unique quality that it may be terminated by the unilateral act of one only of them and that society has no interest or right to be interested in that partnership and (b) that marriage is for either social or religious reasons virtually an indissoluble union which the parties to it can be compelled by legal or social pressures to maintain even though the maintenance of it is intolerable to some or all of the members of that family unit.

There seems to me to be a risk that we have slid from one end of the spectrum to the other. I believe that society has an obligation both to itself and to the members of the particular families constituted by a marriage relationship to do what it can to continue such relationships where that is reasonable or to do what it can to ensure that if the marriage is to break down it, the breakdown itself will not be accompanied by unnecessary bitterness.

Obviously parties cannot be compelled to have counselling; they cannot be compelled to have discussions and they cannot be compelled to continue on in a relationship when they do not wish to do so; But in Western countries (of which Australia is typical) society has largely withdrawn from any attempt to provide solutions. The financial and emotional cost attendant upon marriage breakdown is so high that even as a matter of self protection society has a strong motivation to avoid or lessen its impact.

There are some recent signs in Australia of consciousness of this circumstance. The recent funding of the advertising in respect of marriage counselling and the suggestion of the establishment of Family Centres are instances of this. Each needs substantial support and reinforcement by society and by government through the greater availability of funding. Marriage counselling organisations do exist and do exist on a reasonably significant scale. But their availability is not as well known as it should be. They are frequently seen as catering for a narrow band in society, namely the more articulate, middle class and are not seen as being as accessible to the average person in the community as they should be. They should be more readily available; persons under the stress of marriage breakdown often will not make the substantial physical and emotional effort to avail themselves of those facilities. In addition there is frequently a financial cost involved which one or both parties are either unable or unwilling to carry. There should be a greater degree of publicity and education in relation to such facilities and a reversal of the social attitude to it which I think is unduly prevalent in our society.

The suggestion of Family Centres in Australia is still in an embrionic stage. Were it to develop as those who support it would like it to develop it would mean the ready availability, particularly in the lower socio-economic areas, of a non-court referral and advice facility which would offer a wide range of options, advice and information to persons in a relationship which is under stress and at all stages of that stress. That is, they provide information, they provide either directly or by referral marriage counselling or crisis counselling; they provide counselling if the parties have separated either temporarily or permanently, they provide advice as to financial problems attendant upon separation, and finally if it becomes apparent that the marriage has broken down they provide access to more direct legal advice and if necessary legal proceedings.

Human nature being as it is it is obviously not possible to compel parties to avail themselves of this facility and it will never be possible to remove entirely the elements of long-term bitterness which frequently accompany the breakdown of strong emotional attachments. But I doubt whether it is satisfactory for modern Western socity with all its facilities for publicity, education and propaganda to stand aside and to intervene only after the marriage has broken down.

As to (b) above - a concern that there may be a turning back towards the reintroduction of fault in relation to either divorce or the adjudication of ancillary matters such as custody and property. The rationale of the thinking in Western society up to twenty years or so ago was I think neatly expressed in the following quotation from Commaille's paper

> " As with the granting of the right to "child custody", alimony decisions were formerly based on a principle of "divorce due to marital fault". The principle and the amount of alimony granted were determined in relation to "culpability" or "innocence". The social aspect (answering a need created by the divorce) was undoubtedly secondary in relation to the symbolic function. This served to punish the guilty party and to show the deviant character of divorce in order to reinforce the institution of marriage."

One hears with increasing frequency complaints that many of the problems confronting Family Law (for example high divorce rate, suggested higher child delinquency rates, greater apparent violence) is due at least in part to the absence of fault as being a relevant element in either the divorce hearing or in hearings in relation to ancillary matters. It is put variously on two bases. First of all the fundamental basis that it is right and proper that the innocent should not suffer but should indeed be rewarded and that the guilty party should be punished or at least should not benefit from his or her guilt. Others who have difficulty validly putting that view at that high level talk in terms of the ventilation of fault by a bitterly aggrieved party to a broken marriage as being in the nature of a necessary "emotional catharsis"; that is, that the ability to assert those things in court proceedings and have them taken into account (even in an indirect way) is a legitimate avenue for the release of emotional pressures and is an antidote provided by "the law" to what otherwise may develop into violent cases or cases of long-term, unresolved bitterness.

The circumstance that such views still have a substantial basis in our society is instanced by a recent judgment of the Chief Justice of the High Court in a property case of Mallett where his Honour said

> " The Family Law Act was passed at a time when great changes had occurred, and were continuing to occur, in the attitudes of many members of society to marriage and divorce, but when it was (as it is now) difficult, if not impossible, to say that any one set of values or ideas is commonly accepted or approved by a majority of the members of society. Conflicting opinions continue to be strongly held as to the nature of marriage, the economic consequences of divorce and the effect, if any, that should be given to the fault or misconduct of a party where a court is making the financial adjustments that divorce entails."

Fault orientated views had lost much currency by 1976 in Australia and probably some years prior to that. They havc gained some currency because with the passage of the years is the realisation that the Family Law Act is not a panacea for all ills as it was thought to be. Those who practiced in any aspect of Family Law at times when fault was the dominant or a significant factor in adjudication will only be likely to remember those occasions with cynicism. The artificial pursuit of "fault", unrealistic dichotomy between the "innocent" and the "guilty" spouse, rapacious financial demands being made outside the court under the cloak of "innocence", the assigning of children to the custody of the "innocent" but less capable parent, the refusal of access to a party because of their guilty lifestyle - all these matters are receding with the passage of time. Their reintroduction ought to be strenuously resisted.

(c) There is no doubt that marriage breakdown (whether or not accompanied by divorce) frequently carries with it severe emotional, financial and social consequences. It seems to me that society has a positive obligation to do something about that. This problem and possible solutions to it is a consistent theme that runs through all three papers. For example, Commaille at p. 9 of his paper puts it in a wide setting when he says

> " The condition of the divorcing woman merely reflects the condition of women in society, in other words, general inequality in relation to men. Such inequality is not created by divorce but it is aggravated by it. Most investigations indicate a noticeable decrease in the average revenue of women after divorce."

This theme of male dominance is taken up very early in the paper by Eekalaar. Towards the end of his paper Eekalaar examimes this in more detail and profers a possible solution. He refers to the social and economic impact on children and spouses of marriage breakdown. He refers to the report of the Finer Committee in respect to a guaranteed maintenance allowance and to the alternative option of recourse to the resources of the former partner. In the latter respect he refers to what he sees as two main problems. Firstly the suggestion that because divorce is virtually a right it is suggested that

> " such men, and their new partners, are said frequently

> to resent such payments (of maintenance) and many difficulties are indeed encountered in regard to enforcement."

The second problem he identifies is that once the male forms a new family there is rarely sufficient resources available to support two households. His conclusion in this regard is that

> " Resort to the resources of the former breadwinner is likely to be effective in the short-term. Its effectiveness virtually disappears on his remarriage."

That seems to me to be in many cases unduly pessimistic. If he is talking of complete resort to the former breadwinner for complete support of both households then in most cases it is undoubtedly true. But there is intermediate ground, namely continued resort to that person for partial support together with resort to the community. Eekalaar's final suggestion is that if employment law and practice were to

> " Transmit the expectation that either party should be equally committed to the inescapable responsibilities of childcare so that, for example, leave periods or flexible rostering would permit men and women to perform these tasks, the economic value of both the sexes in employment would be equalised. Rather than impelling female childcare givers into the labour market, the male potential caregivers might be thrust back into the home."

I must say that I do not see this as a likely solution for the foreseeable future, but I do see other more practical solutions which may have a greater impact in the society in which we presently live.

This problem is taken up strongly in the paper by Harrison, particularly under the heading of Law and Financial Support. She points out that one persistent problem is the failure to enforce court ordered support by a liable relative. She refers in some detail to the interrelationship of issues in the current family support debate, to the recently completed Australian Maintenance Inquiry, and brings together towards the end of that segment of her paper the balancing of private obligations with community responsibility.

Most people would agree that the plight of single parents on low incomes and the dependents of such persons is a tragic problem. The aim should be to enforce maintenance from the other party where there is a capacity to pay and to the extent of that capacity, and at the same time to ensure that there is a proper, basic level of financial support to all families in the (Australian) community.

There is I think a failure of will by governments in our society to carry through either or both of those matters. Maintenance orders are made but they are not enforced. Community support provided to single parent families is inadequate. Endless debate goes on as to the interrelationship of those two matters. Nothing concrete is done to recognise and enforce both.

As to the former if there is a capacity to make payments those payments should be made and society should be prepared to take whatever steps are necessary to ensure that that occurs. Whether it is done through a maintenance enforcement agency (which the recent report to the Australian Government has suggested) or whether it is done through a more administratively based scheme (such as has operated now for several years in New Zealand) is not important. What is important is the establishment of machinery which is seen to be reasonably effective in this area. The greatest difficulty at the moment is the development of cynicism, the belief by both payers and payees that orders can be ignored with impunity.

At the same time wealthy communities such as the Australian community has a clear obligation to ensure that to the extent that a family unit is unable to meet its reasonable economic needs those needs are met by our society. To a great extent the social policy by governments in this area is a mish mash of inconsistent, confusing provisions which vary depending upon electoral factors and other pressures. A fundamental resource of any society is its children and those who have the responsibility for their care. Australia has the capacity economically to cater for that. The problem is whether it has the will to effectively implement it.

Index of Discussants

Professor Bettina Cass
Social Welfare Research Centre
University of NSW
PO Box 1
KENSINGTON NSW 2033 AUSTRALIA

Professor Laszlo Cseh-Szombathy
Director
Institute of Sociology
Hungarian Academy of Sciences
Hegyalja-UT 5
1016 Budapest 1 HUNGARY

Professor Wilfried Dumon
Secretary
Committee on Family Research
International Sociological Association
E. Van Evenstraat 2C
3000 Leuven BELGIUM

Dr. Meredith Edwards
Department of Education & Youth Affairs
PO Box 826
WODEN ACT 2606 AUSTRALIA

The Hon. Mr Justice John Fogarty
Family Court of Australia
PO Box 9991
MELBOURNE VIC 3001 AUSTRALIA

Dr. Adam Graycar
Director
Social Welfare Research Centre
University of NSW
PO Box 1
KENSINGTON NSW 2033 AUSTRALIA

Professor David Hambly
Law Reform Commission
Level 6, National Mutual Centre
Darwin Place
CANBERRA ACT 2601 AUSTRALIA

Professor Orjan Hultaker
CFR Committee on Family Research
Department of Sociology
Box 513
S-751 20 Uppsala SWEDEN

Dr. Peggy Koopman-Boyden
Senior Lecturer in Sociology
University of Canterbury
Christchurch 1 NEW ZEALAND

Professor Marcia Lasswell
875 Hillcrest Drive
Pomona Ca 91768 USA

Dr. Thomas Lasswell
875 Hillcrest Drive
Pomona Ca 91768 USA

Professor Hiroko Nishimura
Department of Sociology
Soka University
Tangi-cho
Hachioji
Tokyo JAPAN

Professor Art Pearl
Professor of Education
University of California
Santa Cruz Ca 95064 USA

Professor Stella Quah
Department of Sociology
National University of Singapore
Kent Ridge 0511 SINGAPORE

Professor Lea Shamgar-Handelman
Department of Sociology
The Hebrew University
Givat Ram
Jerusalem ISRAEL

Beth Thyer
Victorian Trades Hall Council
54 Victoria Street
MELBOURNE VIC 3000 AUSTRALIA

Dr. Len Tierney
University of Melbourne
Grattan Street
PARKVILLE VIC 3052 AUSTRALIA

Professor Wei Zhangling
Institute for Social Science
Chinese Academy of Social Sciences
Jianguomenni Dajie 5 Hao
Beijing
People's Republic of China

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ISA International Sociological Association
CFR Committee on Family Research

Institute of Family Studies
766 Elizabeth Street
Melbourne, Victoria, 3000
Australia
Telephone (03) 342 9100